

104
AN ASSESSMENT OF THE CURRENT SITUATION
IN HAITI

Y 4. IN 8/16: H 12/2

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HEARING
BEFORE THE
SUBCOMMITTEE ON
THE WESTERN HEMISPHERE
OF THE
COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED FOURTH CONGRESS
FIRST SESSION

OCTOBER 12, 1995

Printed for the use of the Committee on International Relations



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CONTENTS

WITNESSES

	Page
Dobbins, Hon. James Dobbins, special Haiti coordinator, Department of State	17
Parker, Norma J., deputy assistant administrator, Bureau for Latin America and the Caribbean Agency for International Development	22
Pastor, Dr. Robert, director, The Latin American and Caribbean Program, The Carter Center	33
Brutus, Duly, deputy secretary general, PANPRA political party	35
Harbert, Karen, electoral consultant	37
Wallock, Mr. Kenneth, president, National Democratic Institute for International Affairs	40
Fauriol, Dr. Georges, director, the American Program, Center for Strategic and International Studies	43

APPENDIX

Prepared statements:

Gilman, Hon. Benjamin, a Representative in Congress from the State of New York, and chairman, Committee on International Relations	53
Goss, Hon. Porter, a Representative in Congress from the State of Florida	55
Payne, Hon. Donald, a Representative in Congress from the State of New Jersey	59
Burton, Hon. Dan, a Representative in Congress from the State of Indiana	63
Dobbins, Mr. James F.	65
Parker, Ms. Norma	74
Pastor, Dr. Robert	86
Brutus, Mr. Duly	99
Harbert, Ms. Karen	102
Wollack, Mr. Kenneth	107
Fauriol, Dr. Georges A.	113

Additional material submitted for the record:

Payne, Hon. Donald: Testimony before the Senate Foreign Relations Committee on July 12, 1995	119
Brutus, Duly:	
"Alternative to Invasion," The Washington Post, July 7, 1994	130
"Haiti, The Job Still to be Done," The Washington Post, December 16, 1994	132
"The Americas: Democracy in Haiti? Not Yet," The Wall Street Journal, April 14, 1995	135
Recommendations from the International Republican Institute	137
Gaillard, Micha, candidate from KONAKOM political party: "A Brief Account of the Election Process in Port-au-Prince"	149
Falcoff, Mark, the American Enterprise Institute: "An Embarrassing Post-Mortem on Haiti"	151

AN ASSESSMENT OF THE CURRENT SITUATION IN HAITI

THURSDAY, OCTOBER 12, 1995

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON WESTERN HEMISPHERE,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The subcommittee met, pursuant to call, at 10 a.m., in room 2200, Rayburn House Office Building, Hon. Dan Burton, (chairman of the subcommittee) presiding.

Chairman GILMAN. Our hearing will get underway. If our folks would please take their seats, and if someone would close the door.

Mr. Burton, the Chairman, is on his way. I will take the opportunity of opening up the hearing, and get our witnesses started.

The United States has spent about \$1.5 billion in Haiti in the last 2 years, representing an extraordinary investment of political credibility and material resources. Strict congressional oversight is needed to ensure that the Clinton Administration strategy will get the best return on that investment and withdraw our forces on schedule by next February.

On July 26, 1995, I wrote the Secretary of State, requesting a report on the United States expenditures in Haiti in fiscal year 1995 to the present. We even revised our request to make it less burdensome to the Administration. Here we are 78 days later, and I have only just received a formal reply to my request.

If the Administration hopes to build some bipartisan consensus behind its Haiti policy, it should be more conscientious about sharing essential information requested by this committee.

I think we can all agree on several fundamental issues, whether we are talking about Haiti or any other country.

First, in order to sustain a democracy, there has to be a free, fair, and trustworthy election. Haitians from across the political spectrum have concluded that the parliamentary and municipal elections were fundamentally flawed. Now, we must insist that President Aristide go the extra mile to make certain orderly elections in which the opposition can participate freely and with confidence.

Second, to cultivate a democracy, there must be a level playing field for a viable opposition. Some may be alarmed by a new Haitian parliament so heavily dominated by one party. We hope President Aristide will work with all parties to form an electoral council and a cabinet in which all Haitians have a voice.

Third, to consolidate a democracy, constitutional process must be respected. This why we cannot compromise on the need for an orderly transition to a democratically elected success next February.

Fourth, to uphold democracy, human rights must be defended. Every Haitian has the right to expect justice in the dozens of murders of innocent persons. They also have the right to demand a professional police force that does not tolerate in its ranks or among its leader persons who violate human rights or commit other crimes.

Fifth, to sustain democracy, there must be a free-market, economic growth. Without political stability and transparent "rules of the game," foreign investors are not going to come to Haiti. Without privatization and free enterprise, Haiti's vast potential will never be tapped and its masses will not lift themselves up from poverty.

Sixth, you cannot prop up democracy with an open-ended presence of U.S. troops. We expect President Clinton to abide by his commitment to withdraw U.S. forces as scheduled next February.

Our nation has paid a dear price in Haiti, and we all have a stake in building a stable climate on that island where Haitians can solve their own problems, democratically and peacefully.

[The prepared statement of Mr. Gilman appears in the Appendix.]

I am pleased that we have with us two of our colleagues who wish to be heard with regard to this issue, and I will be pleased to recognize the gentleman from Florida, Mr. Goss.

Mr. Goss. Thank you very much, Mr. Chairman. I appreciate your taking the lead on this, and Chairman Burton, as well. This is a very important subject as you just pointed out. We have a great many things to look at. This hearing was originally described to me as a review of 1 year of Aristide's administration in power. Actually, this is the fifth year of the Aristide administration, and it has been a very curious and circuitous route in many ways. And, of course, our degree of involvement in the affairs of Haiti has taken several turns during this process.

I mention this because what we need to be doing in our oversight capacity, in my view, is looking forward to where we are going.

It will do no good at all if once the props of our support are pulled out (whether they be military or tax dollars or aid dollars or whatever else we are doing there now) when we leave and leave Haiti on its own without those props, if it falls flat. That will mean the operation has been a total waste of our energies and efforts and the risks that we have taken.

So I think it is very important that we examine, straightforwardly, what we are accomplishing or not accomplishing in that country.

I have a written statement which has been prepared.

Chairman GILMAN. Without objection.

Mr. GOSS. And I would like, Mr. Chairman, to have it submitted for the record as it has been prepared with your approval.

Chairman GILMAN. Without objection.

Mr. GOSS. Thank you.

In which case, I will summarize very briefly in the interest of time.

We have three things at stake in Haiti realistically, I think. One is the question of the development of democracy, and we are measuring that pretty much these days about how well they are doing in terms of keeping to the presidential election schedule, and being ready to hand off a calm, peaceful transition of the presidency of the White House, as it were, in February 1996. That is an area of great challenge and we have a good deal in the record on it and, especially given the experience of the parliamentary elections, and a lot of concern about whether we are going to be ready for new elections.

The second area that we have to be accountable to the people we work for, the taxpayers, is how we have used the almost \$3 billion that will have been expended by the time the February 1996 withdrawal date comes around.

And the third part, of course, is even a greater one; that we have U.S. troops involved in Haiti. They are not, in my view, necessarily in harm's way, but they are clearly on a mission that has more hazard than other things they might be doing. Plus, they are American men and women overseas, and that raises the responsibility level very considerably for those of us with oversight.

Where we are going, assuming we get to February, and how we get to February under the current plan, is of paramount importance. Already in the House we have passed, with strong support, a piece of legislation that says we want to encourage Haiti, but should they not be able to abide by the constitutional requirements of the 1987 constitution (which is their blueprint, their charter of how to go about their business of evolving Haitian democracy in Haiti), that we ought to rethink or re-examine our aid situation.

The Senate, I understand, has talked about linking up additional aid to human rights records, how the government of Haiti is measuring up in that area.

And when we start reviewing the facts, trying to measure the evolution of democracy and the quality of life in Haiti today, we have found things are not as good as we had hoped. Security has clearly improved for some, but not for all. We have recently heard a report from Ambassador Granderson from OAS that there have been 20 sort of commando style takeouts of people who were, apparently anti-Lavalas, or anti-Aristide. We still have very little to report on the FBI investigation and assistance on the assassination, the brutal, daylight assassination of Madam Bertin. We have the situation where even though the elections of June were clearly less tense than the elections in previous times, and that is something positive, we still were treated to the scene of blue hats, American troops included, running around with machine guns and helicopters hovering overhead in areas of larger political concentration.

We have a police force being trained to take over. There have been questions raised about whether or not that police force is going to be truly free and truly responsive. It certainly will be responsive to someone. But there are increasing reports that the vetting process may not be working as we had set it out.

In addition, there is a lead officer's corps which, in the minds of some Haitians, who mindful of the old days of the Tonton

Macoutes, wonder what exactly is going on. The transparency is less than perfect in this area.

In the judiciary, there is no question that where the police force is doing well, the judiciary is not. We have got many, many years to go to get the judiciary up to snuff, and there is no question that we have seen problems in that area. You have excellent panels today that are going to presumably be testifying more on that.

With regard to the electoral council, I think that almost everybody agrees that the June 25 elections were chaos. They completed a partial election. It could hardly be called full, fair, transparent or verifiable, which are all things we would require in a democratic election process.

The chaos of the parliamentary elections has left a cloud over the parliament with many questioning whether or not it really is an inclusive parliament rather than an exclusive parliament because of the way the elections were run. So many were left out of the process.

The question of President Aristide leaving remains open, but there is uncertainty there that is causing a problem with the economy. Most people are being very hesitant in terms of taking any additional risk with dollars before they see the stability they desire, and the further concrete proofs down the path of democracy. I think the symbolism of turning over the presidency is very important in that regard.

I think that it is very fair to say that the Aristide economic miracle is not reaching very many Haitians, if any at all.

So I guess the bottom line in all of this, summarizing my statement, is that I am very grateful that we are having this hearing—it is overdue—to monitor the expenditures of our troops, expenditures of our dollars, expenditures of our interest, the expenditures of our commitment to bring democracy to Haiti. And I believe that this panel—certainly this subcommittee and the panels that it has before them today will aid in that job.

[The prepared statement of Mr. Goss appears in the appendix.]

Ms. ROS-LEHTINEN. Thank you so much, Congressman.

Congressman Payne.

Mr. PAYNE. Thank you very much, Madam Chairperson. Certainly pleased to be—appreciate the scheduling of this hearing, and I agree that it is something that is very important. As you know, I have been long concerned about Haiti's struggle to achieve democracy.

In this regard, I have traveled to Haiti six times since the coup that denied President Aristide of the opportunity to serve his full term. I count differently, although the term will end, but I do not see 5 years of administration when 3 years was spent in Washington and Venezuela. But be that as it may, in efforts to reinstate President Aristide, I made 46 public appearances, varying from holding reports, meetings back in my district, to being arrested in front of the White House with other members of the Congressional Black Caucus, protesting the Clinton Administration's policy on Haiti.

To my knowledge, Mr. Goss and I were the only House members to observe the June 25 election. We all recall the June 28 heated debates on the House floor after the election, which we both very

honestly evaluated what happened from different perspectives. I appreciate my distinguished colleague's efforts toward modification. And it is my hope that for the good of Haiti we will continue to come closer in our thinking on what will be helpful in moving the democratic process forward.

Since we did observe the elections from different locations, I would like to briefly state that in Cape Haitian, one of the cities I observed, the elections were carried out in an orderly process. And for the first time in history, there was a complete lack of any military presence. Indeed, Haiti's newly trained police were in place, and their obvious sense of discipline in the corps contributed to the overall atmosphere of order and tranquility.

It was obvious that there were administrative problems that could not be foreseen. For instance, we witnessed the frustration of voters who could not get into a polling place because the key could not be found. Those waiting in line walked miles to vote, and were not going to leave until they voted. Officials had no option but to break the lock at one of the places—I was standing there—so the voting process could proceed.

It certainly reminds me of some of the problems I find in my own town of Newark when going to some polling places to find that the janitor overslept and did not open the polling place, or the deacon of the church had the wrong key.

Rather than speak more fully on the June 25 election, and in order to devote more of my testimony on later developments and the need for the future, with your permission, Madam Chairperson, I would request that I enter my record of the July 12 testimony from the Senate's Western Hemisphere Committee hearing for matter of the record.

Since the June 25 election, it became apparent that in other parts of the country there were more problems, and it was necessary to replace the president of the Electoral Commission, which demonstrates the willingness of the Aristide administration to strive for improvement.

I have also joined Chairman Gilman in requesting the GAO to make an impartial study of the entire election process of June 25, and through the presidential elections to be held later on this year.

However, because we are from another culture, we cannot be overly critical of Haiti's first experience in democratic elections. We must take into consideration the handicaps of poor roads and communication systems. Even electricity was not available in some places to count the votes after the balloting was closed, and they had to take them out under public street lights.

I have also observed elections in Namibia, South Africa, Ethiopia, and many other countries where there was violence and killing. Yet, the international community applauded these elections in Haiti—I mean, these elections in these other places of South Africa and Namibia as successes. Yet there is no such violence in the Haitian elections.

Further, it is interesting to note that the findings of the Organization of American States Electoral Observation Mission released on September 13. The OAS Mission was the largest of all delegations, numbering some 300 members, deployed throughout the country for the June 25 election; 105 members for the August 13

election; and 185 members for the September 17 runoffs. Most important was the quality of the delegation, which many were speaking Creole, and bringing the views and experience from some 25 countries.

The OAS report dispels many accusations. For instance, the report states there was no fraud in the Haitian elections. To the best of my knowledge, "No organized fraud was carried out by the CEP. Neither did we identify any attempts by the CEP to favor any particular party in relation to either the June 25 election or the complementary election held on 13 August 1995."

The report further concludes there was no significant boycott of either the August 13 complementary election, or September 17 runoff elections in spite of the call by the political party spokespersons for that.

For the September 17 round, the OAS documents that only six out of a total of 126 candidates chose not to participate. In fact, the majority of the candidates did not follow the order of their parties and participated. Yet the media continues to report that a boycott occurred.

Finally, lately, Senate Republican leaders have accused the Aristide Administration of creating a one-party state, and implying that this is being done by death squads being run by members of the Haitian government.

Let us look at the record. Human Rights Watch reported in October that these accusations sparked by Communist reporter, Robert Novak, are exaggerated and are supported by scant details and lack of evidence. Human Rights Watch further points out, "The human rights situation in Haiti has improved dramatically since the demise of the military government in September 1994. The restored government has not committed systematic abuses like those that occurred under the military rule, including extrajudicial executions, torture, arbitrary detentions, politically motivated waves of force, displacement and violence, and suppression of free expression. Groups now can meet, hold rallies and express their views without fear."

One reflection of this change is that refugee outflow from Haiti has virtually ceased. They do list improvements still needed, such as the police on some occasions failed to follow appropriate arrest procedures.

Finally, concluding, however, the Haitian government has taken many remedies to correct these situations. At present, President Aristide has spoken out on the issue of justice, urging the population of "no to violence—yes to reconciliation."

As we look forward to the coming presidential elections, it is evident that President Aristide will leave office in February. Many are concerned that no one has the popularity to continue guiding the population in their request for democracy. With a new and unknown president taking over in February, I strongly urge the United States and the United Nations to reconsider their renewal of the mandate for the U.N. Security Force for at least six more months after the installation of the new president. It will just make sense to me.

Haiti is rebuilding. Its police are among the most educated citizens of the country. There was intense competition to enter the

force, and the best and the brightest have been recruited. But they need time to gain experience and organize their abilities. They need to continue to receive proper salaries so that they are not tempted to get back into the old system of bribery that the military did in the past.

Inflation has already been halved and the free market economy is underway, but electrical power and other infrastructure improvements are needed to fuel this growth. All of this takes time, and continued financial assistance. Now is not the time to be threatening Haiti about reducing assistance, but to encourage them by rewarding the accomplishment to date. No American business or enterprise would do less with their employees, and no American citizen would want less for their next door neighbors.

Finally, yesterday we held a joint session of Congress to celebrate the completion of 50 years observance of World War II. I could not help but remember how then the president of Haiti, asked our President Roosevelt how his little country could help in this war for the salvation of mankind.

Roosevelt replied that the United States had suffered a loss of rubber sources from the Japanese invasion of Southeast Asia. He then asked Haiti to convert its agricultural economy to produce trees and plants that could produce latex. Agreeing to this challenge, the mahogany trees and other forest plants indigenous to the island were cut down to make way for the Firestone plantations. New plants to produce latex were planted. None of this was successful, leading to the destruction of the soil and erosion which began at that time.

It was at this period that Haiti lost its sustainable development, faced a bleak future as 4 percent of the top soil washes into the Caribbean each year since that time. They made a sacrifice for us. We think that it is only fair that at this time we continue support for this island nation.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Payne before the Senate Western Hemisphere Committee on July 12, 1995 appears in the appendix.]

Mr. BURTON. I thank you, Mr. Payne, and I apologize to my colleagues for being late. I had an unavoidable problem this morning so I am a little behind schedule.

Representative Kennedy.

Mr. KENNEDY. Thank you, Mr. Chairman.

First of all, let me thank you, Mr. Chairman, for taking the time in holding this important hearing this morning. I think it is very important, and I know that you come at this issue with a great deal of sincerity by trying to make certain that we continue to watch and do our best to maintain a commitment toward democracy in Haiti. And it is with that spirit that I think that it is important that we keep our eye on some of the very positive developments that have taken place in Haiti over the course of the last year or so.

I think it is worth reviewing some of the history of our relationships with this country, and some of the history of the terrible violence and tyranny that Haiti has gone through over recent years, and over its long history.

It was over 200 years ago when this country was fighting tyranny, and taxation without representation; when Haitian soldiers came up from that small island to join with our own revolutionary soldiers to fight the British, to try to break the yoke of tyranny. Those Haitian soldiers, when they joined with our revolutionary war heroes, began a relationship between the United States and Haiti that continues to this day.

I think that it was a tremendous demonstration of the United States' commitment to Haitian democracy when President Clinton showed the courage to commit United States troops toward the restoration of democracy, the restoration of democracy that was denied the Haitian people after the first legitimate election in that country in so many, many years. And with the election of President Aristide, the threat to the yoke of tyranny was made real in Haiti. As a result, General Cedres, and a number of others, took control and threw President Aristide out. Many people voiced concerns in the Congress of the United States and had qualms about involving United States troops in the restoration of the Haitian democracy. There were particular concerns over President Aristide's policies; policies that sought to unburden the vast majority of the Haitian people from the terrible problems that existed under the military regimes and the brutal dictatorships that existed in times past and the fact that so few Haitians were ever able to participate in the economic benefits of that island nation.

But as a result of the Clinton Administration's commitment, we recently have seen a report where the Organization of American States, the Department of State, and Amnesty International agree on the basic fact that the human rights situation in Haiti has been "immeasurably improved in the last year."

I think it is well worthwhile remembering what Haiti has gone through. Who can forget the remarks made by Baby Doc Duvalier during an interview in U.S. News and World Report when Duvalier said, that democracy in Haiti would be "very catastrophic." There are still forces that would like to prove Baby Doc correct.

In 1980, when the U.S. representative went to a meeting of Western donor nations, he was silenced by Baby Doc's planning minister for raising human rights issues. Baby Doc's message to the United States was loud and clear—the U.S. representative was told that his human rights concerns were "not acceptable."

President Aristide has demonstrated his commitment to human rights and democratic principles by implementing structural changes in the police force and in the military. Haitians no longer fear the late night knock on the door that meant torture and death. Today, Haiti is a society where freedom of speech and assembly are respected as are the basic human rights of its citizens.

Remember the brutal regime of Papa Doc when he ran Haiti with a sadistic zeal for control. A woman, still afraid today to reveal her name, told the New York Times how in 1963 Papa Doc's chief henchman, Luc Desyr, broke her head open with a pistol. Her crime was that she asked if he could help her locate her missing husband.

Desyr enjoyed his work for Papa Doc. He taped interrogations filled with screams and the sounds of torture and re-played them at home for his amusement.

The picture did not change much with Baby Doc. It is a shame that Hector Estime is not here with us to tell us how he was picked up at his home by Baby Doc's security forces. Mr. Estime was taken to an office where he was beaten unconscious. Mr. Estime described how the security men slammed their hands against his ears and beat him with clubs.

The truth of the matter is, Mr. Chairman, you are to be commended for holding these hearings because this Congress did not hold hearings when those kinds of torturous abuses were taking place.

One year ago the people of Haiti lived in the darkness of a brutal military dictatorship born out of a murderous coup. The Cedras regime ruled Haiti through systematic rape of women, kidnapping of children, and the mutilation of corpses. Who can forget Guy Malary, Haiti's Justice Minister who was murdered in cold blood for raising his voice against the tyranny and oppression that had a death-grip on the land that he loved.

Today the bright sun of a democratically elected government shines over that beautiful country.

Presidential elections are coming at the end of this year. We have just seen representative elections at the parliamentary level, with a tremendous record of success. There are going to be instances where people can point that there are problems. There are still brutal elements in this country with a very difficult political past. We must do everything we can to encourage democracy in the future. These hearings are an important step in that regard. But we must do it carefully so as not to be viewed as a nation that is committed to the undoing of the democratic values of President Aristide.

Every time this man has been asked to renew his commitment to stepping down this year, he does so. Every time there has been an instance of a violation of human rights, he has looked into it. He is trying his best. He is doing his best. And I hope that the Congress of the United States will encourage the transition to true democracy in that country which has struggled so long and so hard to attain democratic status.

Thank you very much, Mr. Chairman.

Mr. BURTON. I thank you, Mr. Kennedy and the other two panelists for your remarks. I apologize once again for being tardy.

Although Haiti has made steps in the right direction, many people are still concerned about some of the problems with its electoral process, and some recent murders of opposition leaders that have not yet been explained. There are still a lot of problems, but hopefully we are heading in the right direction. This hearing and others will provide a mechanism to get at all the facts, and try to correct some of the problems that may have occurred down there.

But the leaders like Mr. Aristide are going to have to be very willing to accept true democratic reforms and changes, and there is still some question about his willingness.

I want to thank this panel.

Do any of my colleagues have any comments or questions for this panel?

Mr. Wynn.

Mr. WYNN. A statement was made—well, perhaps it was not a statement, but noted that there was some question about the pace of economic reform. And I apologize if it was commented on prior to my arriving.

But if there is a sense that economic reform is not proceeding as fast as it ought to, could you comment on the reasons why you believe that is the case, Mr. Goss.

Mr. GOSS. I would be happy to comment on it both in my prepared statement and in my oral remarks. There are a number of reasons. I have talked to a lot of Florida businessmen and other people who have previously been doing business in Haiti. To them the risk factor is still unacceptable, apparently, to borrow the necessary capital to get in there.

When I ask people what does that mean, they say: "Well, we are not sure enough about the stability. We do not want to take all the risk ourselves. We are unable to borrow the money." We find that there is concern about whether or not the constitution is going to be followed, and how this should be measured these days. Are these elections going to happen, and will there be an inauguration in February that will be calm and tranquil? Will the democratic process work? I think that is going to be very, very important.

The second part of it is that many people are saying they are not getting the cooperation from the Aristide government that they need once they get to Haiti. Even if they do have the financial backing to start, they are running into red tape and roadblocks. Whether it is a problem of professionalism, or a problem of training, or simply a problem of disorganization in administration, I have not been able to entirely sort out.

I have talked to President Aristide about it. I have talked to people in the embassy about it. I have talked to the investors about it. So far we just have not been able to bring them together.

Mr. WYNN. Let me go back to that first issue of, I guess, the physical security. Did the investors express an opinion as to where they think that the continued U.N. presence would be helpful with respect to the security situation?

Mr. GOSS. I think most of the people who I have talked to have said that they are less concerned about stability measured by the number of policemen on the street or whether they are wearing blue hats or Haitian police uniforms, than they are worried about the commitment to stability that will be seen through the transition via the next presidential elections.

Can Haiti pull off another presidential election and can they pull off an orderly transfer of power? If yes, that is going to be a big message out there to say that they have got their act together.

I have not heard as many complaints about what I will call the "knock on the door in the night." Frankly, this was not a concern of most of the businessmen; it was more of a concern of the people in Haiti.

What concern I have heard is in the area of stability—like the looting, the safeguarding of the warehouse inventories, the problems of payoffs at the docks in order to get business done in the country; the kind of things we experience in a lot of countries that are true in Haiti as well.

Mr. WYNN. So would it be fair to say that continued U.S. presence, even at lower level, would be helpful?

Mr. GOSS. I cannot answer that question honestly at this point. The stability is always a factor.

Mr. WYNN. Mr. Payne.

Mr. PAYNE. Thank you.

I think that there is no question that there are people who are concerned about investments. It is a new republic less than a year old. And so there are some, certainly, business people who are concerned about their investment, do have some reluctance, and that is understandable.

I think, though, just the opposite. I do think that the continued presence of the United Nations, with a new president coming in, in February, it will indeed be a person who is much weaker than the present president, there will probably be people who will want to test the new government.

You know, Francois Michelle who is still right across the border, over in the Dominican Republic, still has strong influence. As you knew, he was the murderous police chief of Port-au-Prince. They are still talking band radios and are in communication in Haiti with people who are still from the FRAP organization, which, as you know, was funded by the CEP.

There are still elements of uncertainty. And I think it would be almost—it has been indicated that we have invested a tremendous amount. I think Mr. Goss said \$3 billion. I have not tracked it to that number, but I assume that is correct. To me, it would not make sense to withdraw support at this time, to encourage the United Nations to leave at the mandate which says it should leave in February, with all of that investment.

You know, we must remember that boats of people were coming up to those shores, and they are not coming any more. And you spend an inordinate amount of money with Coast Guards trying to protect the Atlantic, and taking people and children out of the water and finding places for them to go. And I think that it does not make sense to start to pull the plug when there is more than a 50/50 chance—it is probably a 75/25 chance that this fledgling new democracy will be able to make it.

I think that investment will increase if we have the continued stability of the presence of outside observers. I think that there is a move to privatization. There has been some transition already because some business from my area have started to do. The employment rate is up from what it was—and once, again it is 1 year. I just cannot understand how we can say that President Aristide is ending, as Mr. Goss mentioned. He said the Aristide administration is ending 5 years in office. It was less than a year before, and less than a year after. So it has been 1 year interrupted by 3 years, and finally trying to put all the pieces together in 1 year.

I agree, a lot more must be done. There is still violence. There are still a lot of the things that have traditionally been wrong with Haiti. By the same token, I think it is really unfair to characterize it as a place that we ought to just almost turn our back on. I think it would be foolish.

Mr. BALLENGER. Mr. Chairman. Thank you.

I would just like to back up what everybody has been saying, and give some examples of what occurred in my situation.

In the beginning of the year, a group of Haitians came to me, led by a man named Duly Brutus. I think he is supposed to testify today. He introduced me to the mayor of a small town in northern Haiti called Limbe. I forget her name, but she was a very nice, elderly lady. She said she had heard that my wife and I did things to help people and asked if we would help her. And I said, "Sure, what can we do for you?"

She stated that their school system was in terrible shape. This shows how little we know about the problem down there.

I said, "Well, what do you need?"

She stated that they needed pencils and paper.

I have been a manufacturer all my life, so I went and I hit every paper manufacturer I knew, and got about 800,000 sheets of 8½ by 11 paper. The pencil manufacturers over in Tennessee gave me 10,000 pencils. Care International asked me if I would produce these little plastic bags that you can put a little dirt in the bottom and stick a tree in it to grow.

We had planted the eastern part of Nicaragua that way, and we hoped to plant the northern shore of Haiti with those same things.

At the same time we arranged to send 26 computers. We got these items on a barge going out of Miami. On the day they shipped these items, word came to me that somebody had burned the school down in Limbe. I learned that they had arrested Duly Brutus for burning the school down, which obviously did not make any sense at all. I never did find out what happened to the 26 computers. Luckily, we had arranged with the Selesian Brothers, a Catholic charity, to receive these items. Whether this shipment has ever gotten to anybody I do not honestly know. I would love to know. Maybe someone at the State Department or AID people can tell me what happened. Now, if I were a businessman, and had done this as an investment rather than as a donation, I would wonder about whether investing in Haiti was a very sensible thing to do.

Furthermore, a large group of Haitian businessmen approached me regarding the need for power. Electric power was one of the major problems they had. Unless somebody could figure out a way to generate more electricity, there was not any way they could have economic development there. I tried to get them in touch with Duke Power Company down in North Carolina, and I do not know whatever came of that.

But, I do understand the frustrations that people must feel about investing in Haiti, because I am not sure I did anything. I do not know whether the 26 computers are in schools. I do not know whether the paper and pencils are in schools, and I do not know whether they are growing trees in northern Haiti. It is just real frustrating for somebody that does not have the communications to be able to find out what is going on down there.

Mr. KENNEDY. You know, before I came to the Congress I ran a number of companies that invested substantially in a lot of developing countries. Any comparison between the kind of infrastructure we have in the United States compared to the infrastructure in

Haiti is doomed to failure because it just simply does not exist in Haiti.

I think that you are to be tremendously commended for the humanitarian instincts that you have shown, and your doggedness in actually getting people to produce and get the pencils and the paper and the computers and the like donated.

The truth of the matter is that a country like Haiti is going to go through a tremendous set of difficulties, whether it is corruption on the docks or the rebuilding of the infrastructure and the power grid. These are substantial investments that are going to take co-ordination between the World Bank, the IMF, and other international lending agencies. It is going to mean that you are going to have to deal with the tremendous concerns of so many people, that you have a ruling elite that has sucked up every last nickel of profit available in that country off the backs of a lot of very poor people. And so there is going to be tension in a country like Haiti.

I think what we want to do here though is try to encourage democracy. Listen, if there are cover ups, if there are examples of people that are being denied human rights, we ought to be exposing those. But that ought not to diminish our encouragement and enthusiasm for the progress that has been made. Tremendous progress has been made in a year. Around the Congress, people are always coming up to me and saying, hey, listen, that guy Aristide, he is going to stay in there. I read articles in the newspaper. Somebody stopped by my office and said, oh, yes, his secret plan is to stay in for another 5 years.

Every time I have talked to him he says that is absolutely not true; that he is going to get out. I think he is telling the truth. I think it would be perfectly legitimate to say that he is due another 3 years, because, you know, a military dictatorship came in and threw him out. But he is not doing that.

So I think that there are going to be bumps along the road. There are going to be terrible stories of corruption, and I think there are going to be examples of people that did not get to polls. You have to drop back and look at this in the context of the poorest country in our hemisphere that is trying to make a major step forward toward real democracy.

Look at what is going on in the Soviet Union, for crying out loud. Here is a country that has a lot of infrastructure, and a lot more money than Haiti does, and they are having all sorts of problems.

So I think that this is real progress, and I would just like to see us give encouragement and voice some enthusiasm and not be viewed as a Congress that is kind of looking down their nose at a group of people that are struggling very hard to make the thing work.

We should find ways of encouraging them, and I am sure the Chairman will. And if we can find ways of encouraging the United Nations and international organizations to make the investments to help things go smoother, I think we ought to do it.

But again, you are to be commended for your willingness to help, Mr. Chairman.

Mr. BALLENGER. Somebody said, "Why do you not just call up down there and find out about those items?" The sad part about it is they do not have any telephones. You cannot call them up.

Mr. KENNEDY. That is correct.

Mr. BALLENGER. It is almost impossible for people in this country to recognize how poor Haiti is. When the mayor of Limbe asked for pencils and paper, I nearly fell off my chair because I thought surely they have got pencils and paper. Unfortunately, they did not have these things.

Mr. BURTON. Let me interrupt and say we want to move on to the next panel. But before we do I would just like to make a couple of observations.

There is some question about the election that took place. I have been in several elections myself in Africa and elsewhere in the world, and understand it is very difficult to monitor elections and keep everything perfect.

I read an article by the International Republican Institute on the elective process, and it said there were a lot of faults and problems. These flaws should be corrected in the future.

The other thing that concerns me a great deal, is that when our peacekeepers leave there will be some semblance of law and order.

There is a great deal of consternation and concern among members about Haiti. They worry that when we pull out after having spent \$3 billion, the Haitian police force will not be well enough equipped, either from a training standpoint or from a weapons standpoint, to adequately deal with the crime and corruption that will become, they believe, rampant. This possibly is an example of humanitarian effort gone awry. We are trying to get some humanitarian supplies down there to do things like help kids with education, but it is very difficult to get it through because of people stealing the supplies and trying to make a profit out of it. I am just assuming that might be the case. The problem is one of the things that we need some assurances about solving.

And, Representative Goss, you were just down there. And were you down there too, Don?

Mr. PAYNE. Yes.

Mr. BURTON. You were down there as well.

What progress has been made as far as upgrading Haitian security forces so they will be able to take over the responsibility when the U.N. troops leave? And will the Haitian security force be able to adequately enforce the law to make sure that these political killings and other crime problems will end?

Mr. PAYNE. Well, in my opinion, Mr. Chairman, I think that it is premature to withdraw the U.N. and the U.S. forces at the same time that a new president takes over. I think it just makes no sense.

Mr. BURTON. So you do not think they are going to be adequately prepared?

Mr. Payne. I think that they would be better prepared if the forces remain. I say that because since the late 1700's, when the Haitian military defeated Napoleon's army, the military has been the force. Of course, brutal force, wrong force, but that was the way the country was policed.

Now for the first time, you know, in several hundred years you have a civilian group of people who will now replace the military force. As you know, Aristide told the military, he wants no army. So seven—eight thousand men who are in the army have been dis-

missed, or he is trying to get rid of them. And you have got about 3,000, hopefully, up to 5,000 police people with little, small side arms, that will try to police a whole country where the army was the police.

So you are really looking at a very serious transition. And I just think that it needs more time. Aristide went back in October. This is October. On 1 year they have attempted to train police, to teach them ethics, to teach them restraint, to go away from the way policing was done by the gun. And so it is going to be a transition.

I think that if they leave, the police will be able to sustain with a lot of problems. I think that if in fact we were able to extend the United Nations for at least 6 months after the new president—you do not even know the name of the candidates, so evidently it is going to be a very weak person. It is not going to be the type of Aristide that can tell the people let us not have any kind of retribution. Let us have reconciliation.

This new president, I think, will be—in a nutshell really is that I just would urge that we reconsider the withdrawal in February of the U.N. and U.S. troops.

Mr. BURTON. Do you think that within a 6- or 8-month period that they would be? I spoke to the police trainer when I was down there. A fellow from the New York Police Department is doing the training. He did not give us a specific time on when he thought they would have an adequately trained police force to take care of the situation.

But you think a 6- to 8-month extension might do the job, Porter?

Mr. GOSS. Mr. Chairman, thank you.

I would agree that the question of stability in the country for preserving law and order is probably one of the most difficult measures, and it is going to affect the political process, and the economic process, the quality of life, whether this experiment succeeds or not in the future.

I think you have asked exactly the right question. You cannot artificially sustain it forever. I am not sure whether or not we are artificially sustaining, propping up a false stability, and the minute the U.N. peacekeepers leave that the vengeance that many still talk about is actually going to happen.

How long did the Hatfields and the McCoys dislike each other? It is one of those kinds of questions that you have asked.

There are some serious problems with the police force. It is not just its size and its equipment and its mentality and its professionalism. That is not the only problem.

One of the problems is that we are already beginning to hear stories among some who feel that the police will be taken over by this elite office corps of some 80 officers that are being trained in Canada and who have special privileges.

There is an association being made between this group and sort of a new Tonton Macoutes organization. There is a concern that the vetting process has been sent awry whether it was done with or without the knowledge of President Aristide, whether or not Danny Tousante is just speaking from the heart about the former members of the military that he wants to bring in to the force without

vetting—these are the kinds of question this committee needs to pursue.

The question of how much cooperation there has really been by the Aristide Administration with the FBI to get to the bottom of these commando-type assassinations that the ambassador of the OAS, Colin Granderson, has brought to our attention. These are not something that Republicans, or people like President Aristide have brought forward. These are reports from observers down there who are doing their job. They are concerned about this.

We need to ask those questions of the Aristide Administration, and get reasonable answers; not the nice sounding words that really do not seem to get to the bottom of the question.

When you come right down to the end of the question, if you extend by 6 months the U.N. peacekeepers, with or without U.S. troops (we will not go into the mix of whether they should have U.S. troops, although I think U.S. troops are the back bone right now) would you have stability? And I think the answer, frankly, is going to be just about the same as it is going to be in February.

And if you ask it a year later, it is probably going to be the pretty close to the same. This is a long, long term proposition, in my view.

So if you are going to extend day by day and do these increments, I suspect you are going to find it like being at an airline counter when they are not sure whether the plane is going to get there, and you keep hearing check back in 20 minutes. I think it is going to be that kind of a process.

Mr. BURTON. Do you think there is really no end to our occupation or support there as far as the preparedness of a police force is concerned, when they will be able to deal with the problems?

Mr. GOSS. The disengagement process has always been the hardest part of this. It has been made easier because we did not go into Haiti in a hostile fashion, thank the Lord. Wiser heads prevailed the last moment, as you know. And instead of an armed invasion where we were basically going in with a shooting army, we went in there as an occupying force to help build democracy and provide stability and guidance.

You can only do the job for the Haitians so long. Sooner or later the Haitians have to do it for themselves. And we are trying to do that. That is our hope, that we can train them to do that.

Do I think just 6 months of U.N. additional presence is going to guarantee stability? No, I do not.

Mr. BURTON. OK.

Mr. PAYNE. Let me just add, if the gentleman would yield. My only point is that why have a new president come in the day that the U.N. and U.S. troops leave. I just think and right, we cannot stay there forever. But it just does not make sense to install a new president the day after every—that the normal—what is normal today is the U.N. and U.S. troops are there.

To have them leave and install a new president, I just think that it just—and I would not extend it forever, but at least let the new group come in and have this stability around for 6 or 8 months, and then we have to get out of there some time. But to leave the day the new administration comes in, to me makes no sense.

Mr. BURTON. Thank you very much. I appreciate this panel coming in. I appreciate your extended visit. Thank you.

The next panel is from the Administration: Ambassador James Dobbins, special coordinator for Haiti at the State Department; and Norma Parker, deputy assistant administrator at the Bureau for Latin America and the Caribbean at the Agency for International Development.

I want to welcome both of you to the hearing and I look forward to hearing your testimony.

I would like to see my statement included in the record since I was a little late.

So without objection that will be the case.

[The prepared statement of Mr. Burton appears in the appendix.]

Mr. BURTON. Let us start with Ambassador Dobbins.

STATEMENT OF JAMES DOBBINS, SPECIAL HAITI COORDINATOR, DEPARTMENT OF STATE

Mr. DOBBINS. Thank you very much, Mr. Chairman, and I will try to speak—

Mr. BURTON. I would like to keep your comments to 5 minutes so that we can have dialog and questions and answers.

Mr. DOBBINS. I will try to abbreviate what I have provided and provide the rest for the record. I will, however, try to deal with some of the questions that you have raised, which I think are the right questions to be addressing.

It has been a little more than a year since U.S. forces entered Haiti at the end of the multinational coalition. At the height of the U.S. presence, we had 20,000 American troops there. Today there are 2,500, out of a total force of 6,000 U.N. peacekeeping troops.

In four more months, that is to say in February of this year, the mission of this peacekeeping force will be concluded. The troops will return home, having successfully completed a complex and challenging mission.

The completion of this mission has been keyed to two processes.

The first of these has been the dismantling of Haiti's old institutions of repression, and the creation of a new professional civilian police force, along with the reform of the judiciary.

The second process is a democratic renewal, and the constitutional transfer of power. This process involves the holding of local, municipal, parliamentary and, finally, presidential elections.

Both of these two processes are proceeding at a pace which should permit us to meet the time table which the United States and the United Nations have set for this peacekeeping operation.

Last June, Haitians voted to elect 2,000 mayors, municipal and county counselors, creating the most comprehensive set of freely elected local government in their country's history.

Last Sunday they completed the election of members of their lower and upper houses of parliament. Like the June 25 vote, Sunday's balloting was peaceful. Unlike the June 25 vote, it was more orderly, and better administered.

Later this year the Haitians will go to the poll to elect a successor to President Aristide.

The second ongoing process to which the timing of the international peacekeeping effort is tied is, as I have said, the disman-

ting of Haiti's old, corrupt and repressive security institutions, and the creation of a new professional civilian police force. This process too is on schedule.

The Haitian army has been disbanded. Over half, that is to say over 3,000, of its members have been demobilized. Most of these individuals are presently completing a 6-month program of vocational training. Something less than 3,000 members of the Haitian army remain as members of the interim police force. Several hundred of these interim police are being demobilized each month as new classes of the Haitian national police are fielded, and that demobilization should be largely completed by February.

By that date, the Haitian National Police will have fielded 5,000 new police officers. These young men and women have been selected in an open, apolitical, rigorous and competitive national process. They are receiving four months of intensive professional training, in a program organized by the Department of Justice, and taught by professional law enforcement officers from France, Canada and the United States.

The process of selection for the Haitian National Police has drawn on the best Haiti has to offer. Tens of thousands of young men and women have competed for entry. In a society where less than 25 percent of the people are literate, the average educational level of the initial class of cadets was 2 years of college. In a country where personal connections have long been the key to government employment, this has been an open, competitive process.

Alongside the Police Academy, we have also created a Judicial Academy, which is doing a comparable job with the Haitian judiciary.

The duration of the peacekeeping operation in Haiti has not been tied to any particular level of economic performance, but the economy has picked up, and Norma Parker can talk briefly about where we stand on that.

Needless to say, Haiti's economic renewal is at best tentative. Its democracy remains fragile, and its new security structures are inexperienced and untested. Business interest in Haiti as a site for investment is relatively high, but many investors are awaiting the results of the current electoral cycle.

These elections, and specifically the June 25 balloting, were far from ideal. Brian Atwood, the lead of the Presidential Observer Delegation, who was there on June 25, commented on that, as did I in testimony before the Senate Subcommittee on Latin America 2 weeks later.

At the time I noted that observers found that ballot "free, fair and fouled up." Haiti has since held three further rounds of balloting, including both reruns of about a fifth of the original vote, and a second round of balloting for undecided races. These three ballots were free, fair, and progressively well run.

The Haitian voters have chosen their mayors, city and county counselors, establishing a comprehensive system of freely elected local government. They have chosen a new parliament. Later this year they will choose a president. And in February, a new president will take office.

The OAS has had an Electoral Observer Mission in Haiti for the past 5 months. This mission has filed 572 observers who monitored

some 4,670 polling stations through several stages of the electoral process. Many of these observers are experienced electoral monitors. Many have extensive knowledge of Haiti. Many speak fluent Creole, the language of the country. This mission's reporting and analysis is by far the most comprehensive and authoritative available on the Haitian electoral process.

Commenting on criticism of the role of the Haitian Provisional Electoral Council in the June 25 balloting, the OAS Observer Mission stated, and I quote: "We are satisfied that, to the best of our knowledge, no organized fraud was carried out by the Electoral Commission; neither did we identify any attempts by the Electoral Council to favor any particular party, in relation to either the June 25, 1995 elections or the complementary elections held subsequently."

Perhaps the most widely publicized criticism of the June 25 ballot concerned the vote count in Port-au-Prince itself, in what is called in Haiti the Western Electoral Department or "BED West". Asked to comment on that particular process, the OAS commented as follows:

"The OAS fielded a professional teams of very knowledgeable election observers throughout the area covered by BED West on 25 June. Every single member of the team either had extensive election observation experience and/or were specialists in the social/political infrastructure of Port-au-Prince and Haiti. Practically all the observers were fluent in Creole thereby enabling them to speak incisively with BIV workers, with the electoral workers, amongst others with whom they interacted. All the observers were in place from early morning 25 June.

"On the night of 25 June there was a congregation of electoral workers who had transported their ballot boxes, some over long distances, to the premises of BED West, without doing the count at the local electoral sites simply because there was inadequate lighting, or in some cases no lighting at all. This was done mainly because there was insufficient street lighting available outside BED West to enable the count to be completed that night itself. Therefore, what one found on the night of June 25 was a large collection of electoral workers simply trying to complete their job of counting the ballots and trying to get back to their homes after a long day without water and food. To the untrained eye, it looked totally disorganized. But those with Haitian experience and the ability to speak Creole what was witnessed was a creative effort by the electoral workers to finish their task as efficiently as possible under difficult conditions. To other election observers (from other organizations) with little or no country experience and no knowledge of Creole it was an example of chaos and disorganization.

"At no time did the OAS observers report seeing any incident of fraud that night; perhaps a few technical problems, but no fraud. Neither over a new few days when the electoral count was taking place at sites such as the Lycee Firmin, did any OAS observer witness any incident that could be termed fraud. Yes, there were technical problems (mainly due to a lack of experience and inadequate training), but not witnessing of any fraudulent inactivity."

Commenting on the vote count throughout this electoral process of the results over all four rounds, the OAS monitors commented as follows, and I quote:

"For each of the elections held, the data on the vote count and the tabulation collected by the electoral observers at each stage described corresponded in general to the results released by the electoral officials. The minor differences noted by the mission involved discrepancies of ten or fewer votes which did not affect the final results.

"Some 18 complaints, mainly regarding falsified or missing process-verbaux, and principally from the June 25 first round, were brought to the OAS attention, but it was noted that the complaints were given satisfaction through action take by the Haitian Electoral Council, such as recounts or cancellation of the elections in the affected areas."

Now, in the aftermath of the June 25 vote, the leaders of the major opposition parties in Haiti decided to withdraw from the electoral process. Their party candidates, for the most part, did not. The names of all opposition candidates remained on the ballot. Nearly all opposition candidates participated actively in the rerun and second run balloting. Party pool watchers from opposition parties were present at the polling stations in large numbers. All opposition candidates who won places at the local and national level appear ready to serve.

The disappointment of opposition leaders with the June 25 balloting was understandable. Their parties did poorly, as had been generally anticipated. The process was flawed. Their complaints were in many instances legitimate. But, in the view of most international observers, their decision to withdraw from the campaign, and to see to discredit the subsequent electoral process was not justified by the circumstances.

Between the first, and the subsequent three rounds of balloting, the U.S. Government made repeated efforts to bring about a resolution of differences between the Haitian authorities and the main opposition leaders. In pursuit of this objective, we made a number of suggestions to improve the electoral process and to correct flaws in the June 25 vote. In response, the Haitian authorities expressed a willingness to adopt all of our proposals as a basis for agreement with the opposition leaders.

In the end suspicions on both sides proved unsurmountable. Opposition party leaders were unwilling to work with the Haitian Electoral Council, even after their key initial demand for the replacement of the president of that council had been met. The Haitian authorities, for their part, harbored concerns that the opposition, aware that it was likely to lose any election in the near future, would take advantage of any role they might be granted in selecting new members of the Electoral Council in order to block completion of the election, and postpone indefinitely the seating of a new parliament.

This mistrust was, in other words, mutual, and, in our judgment, this mistrust was excessive. The Haitian authorities were prepared to implement those steps which we, the OAS and the United Nations, believed necessary to correct the failings.

Mr. BURTON. Excuse me, Ambassador Dobbins. Are you about finished with your statement? We have a large panel coming up after you, and we want to get to questions for you and Ms. Parker.

Mr. DOBBINS. I will try to finish up as quickly as I can, Mr. Chairman.

Mr. BURTON. Thank you.

Mr. DOBBINS. The opposition party leaders demanded more, specifically insisting that half the Electoral Council be replaced by new individuals acceptable to the opposition. Lavalas party leaders were, in fact, prepared to discuss such arrangements, but in the end, it proved impossible to agree on modalities for altering the membership of the Electoral Council which were broadly acceptable, and legal under Haitian law.

Much of the criticism of this first round of balloting, Mr. Chairman, was justified. Outside observers should be cautious, however, about holding Haiti to a higher standard than has been applied to a number of other countries—richer and more highly developed countries than Haiti. The South African election in 1994, for instance, was not only vastly more violent than that in Haiti, but was also reportedly worse organized, and yet that election was correctly hailed as a major advance in democracy.

Let me just conclude my discussions on the election by quoting one sentence or two sentences from the concluding OAS report.

"Having observed the entire process, the OAS observers considered that its defects were not the result of large scale organized fraud and that the voting intentions of the electorate were generally respected. Announcements of the tabulated results by the Electoral Council generally matched data collected by OAS observers. Based on its observation, the OAS considers that the impact of flaws in the process would not have altered the final result."

Let me before concluding, Mr. Chairman, just address one other subject that you raised, and which others have raised, and that is the human rights situation in Haiti.

It has, as other speakers have noted, improved vastly over the last year; also the violence as a whole is down in Haiti dramatically. In fact, Haiti at the moment is probably one of the safest societies in the Caribbean.

Political violence has fallen off even more sharply. Following 3 years of brutal repression during which rape, torture and murder were routine instruments of governance, many had expected that the restoration of Haiti's legitimate government would be followed by a waive of retribution. The opposite is the case. Thanks to the professionalism of our forces, and particularly to President Aristide's calls to reconciliation, nothing of the sort has occurred.

On the contrary, after 3 years in which up to 3,000 political murders were committed, there have been perhaps two dozen deaths which may have revenge or politics as a motivation over the past year.

Now, to recognize how the situation has improved is not to suggest that further steps are not needed to eradicate political violence from Haitian life. Haiti has a long, sad tradition of politically motivated murder and intimidation, which, if not checked once and for all, could undermine its democratic renewal. Justice and an end to impunity must therefore go hand in hand with reconciliation.

In March of this year, when the former de facto regime spokesperson, Mireilla Bertin, was murdered, the U.S. Government offered, and President Aristide accepted the assistance of the FBI in investigating that crime. At the time that offer was made and accepted, Haiti had no indigenous capacity to investigate such crimes. Its interim police force was drawn, in large measure, from the very institution which had been the source of repression under the prior regime. The court system largely ceased to function, and the prisons were in disrepair.

In the intervening 6 months, the government of Haiti has with our help come a long way in developing the capacity to investigate, to try, and to convict and to imprison those who would commit such crimes. New judges have been appointed. Old ones have been trained. The prison system is in reform. The police force is being deployed. More than 1400 of those policemen are already on the street. Selected members of this force have received special investigative training in order to form the judicial police who will do criminal investigations.

Yesterday the government of Haiti formally established a new, special unit of those officers to deal with high profile, and especially political crimes, including those cases of the past year cited by the U.N and the OAS observers that some of the congressional members mentioned. This unit will be separately—

Mr. BURTON. Mr. Ambassador, let us get the questions—if you can just sum up real quickly.

Mr. DOBBINS. OK.

Mr. BURTON. Because we are going to be asking you extensive questions on a lot of these issues.

Go ahead.

Mr. DOBBINS. Let me just say that this unit will be separately housed, separately funded, and that the government of Haiti has asked the U.N. civilian police and the United States to provide training police officers to monitor and assist this unit as it conducts these investigations, and the United Nations has agreed to do so, and that we will do so as well.

[The prepared statement of Mr. Dobbins appears in the appendix.]

Mr. BURTON. Thank you, Ambassador.

Ms. Parker.

STATEMENT OF NORMA J. PARKER, DEPUTY ASSISTANT ADMINISTRATOR, BUREAU FOR LATIN AMERICA AND THE CARIBBEAN, AGENCY FOR INTERNATIONAL DEVELOPMENT

Ms. PARKER. In the interest of time, I will try to be very brief. Unfortunately Congressman Ballenger left. I did want to assure him that his pencils and paper did arrive.

Mr. BURTON. I will convey that to him if you will give me a message in writing. I will make sure he gets that because he is very interested in knowing that.

Ms. PARKER. He is OK on that score.

Thank you, Mr. Chairman. I welcome this opportunity to appear before this committee and share with you some of the achievements of our economic assistance program. I think it is very appropriate

that you pose the question before us. The answer is that we have achieved a great deal, but the job is not yet done.

With the support of the United States and our allies, the Haitian people have come much further than anyone would have predicted 1 year ago.

The U.S. Agency for International Development is proud to have played an important role in this democratic transition in Haiti. As Americans, we can take pride that we have helped Haiti to achieve the following:

An army which dominated, abused and intimidated the Haitian people for nearly 200 years has been demobilized. The cycle of revenge and retribution has been replaced by strong efforts at reconciliation and support for the rule of law;

The old military academy, which was a source of power for the Cedres dictatorship, has been transformed into a first-ever judicial training school which supports the development of an accountable system of justice;

A professional civilian police force, under the supervision of the Minister of Justice, has been established and is deploying across the country;

In an atmosphere of peace and security, without fear of intimidation or reprisal, Haitians have gone to the polls four times to elect new members of parliament and local government.

Within days, that new parliament will be seated and will take up a series of economic and political reform issues that are designed to break the alliances between state power and economic monopolies and social elites, and lay the foundation for broad-based economic growth offering further expanding opportunities for the Haitians.

Already the government has initiated a comprehensive program of structural reforms and liberalizations to bring policies into harmony with those of the countries of the hemisphere.

In contrast to annual 10 percent declines of GDP during the 1992-94 period, economic growth has been restored, with GDP growth at 4.5 percent since the return of Aristide. Similar growth is expected in 1996.

Inflation has been cut from 55 percent in August 1994 to approximately 20 percent in August 1995, and the Haitian gourde has strengthened from about 21 gourdes to the dollar to 15 to the dollar.

The leadership of the United States has been instrumental in making these changes happen.

We also have to candidly admit that some serious challenges remain. While considerable progress has been made, more work needs to be done to correct the problems which occurred in the early election rounds before presidential elections this year.

It is essential that adequate support be provided for these presidential elections, so that they can be orderly, free, and fair.

The judicial system and the leadership structure of the police must continue to be strengthened.

Strong vested interests will continue to resist efforts to promote economic reform and create an open market-oriented economy that offers real prospects for broad-based growth. Furthermore, the government of Haiti does not have unlimited time to build confidence

that private sector-led growth has taken hold, and to convince working Haitians that their lives are improving.

The focus of our efforts a year ago was crisis oriented. At that time we were coping with the needs of a society brutalized by an oppressive dictatorship and reeling under the impact of embargo. Our concerns were to help feed about 1.2 million Haitians daily, provide health care to about two million people, and ensure the immunization of three million children.

Today our objective is to ensure a successful transition from an emergency humanitarian program, largely driven by short-term crisis, to one which consolidates the significant changes of the past and establishes a foundation for sustainable development. Our primary objectives are building the foundation for an enduring democratic society and expanding private sector employment and income. It is important that we stay the course and ensure the consolidation of the gains made thus far.

My written statement contains a discussion of specific details of this broad-based program. Let me now just move to a conclusion, and you all can read the statement.

Mr. Chairman, we have accomplished a tremendous amount, but the job is not yet finished. Long-term success in Haiti is contingent upon active leadership by the United States in partnership with our many allies and the Haitians themselves. We have now concluded this transition from crisis to recovery. Sustained engagement by the United States remains essential to turn recovery into sustainable economic growth and democratic development.

Thank you.

[The prepared statement of Ms. Parker appears in the appendix.]

Mr. BURTON. Thank you very much. Let me ask you a couple questions.

You mentioned, Mr. Ambassador, that the FBI was assisting in investigating some of these alleged political assassinations, including the killing of Ms. Mireille Bertin?

Mr. DOBBINS. Yes.

Mr. BURTON. She was gunned down in the middle of Port-au-Prince on a main street, as I understand it.

Mr. DOBBINS. Right.

Mr. BURTON. Because of the traffic jam.

Have they found anything about that yet?

Mr. DOBBINS. The FBI has not briefed me, or as far as I know, anyone else in the Administration on their findings. They are still conducting their investigation, and as far as I know have not come to a conclusion.

Mr. BURTON. So, now they really do not have any leads that you know of?

Mr. DOBBINS. Oh, I do not think that is the case. I think they—shortly after they began their investigation there was one arrest of somebody who they believed could have been implicated. That person remains in prison.

Mr. BURTON. Was he indicted or charged?

Mr. DOBBINS. Yes, has not been indicted or charged.

Mr. BURTON. And he is still in prison?

Mr. DOBBINS. He is still in prison.

Mr. BURTON. How long has he been in prison?

Mr. DOBBINS. About 6 months now.

Mr. BURTON. He has been in prison 6 months without any charges brought against him?

Mr. DOBBINS. As far as I know.

Mr. BURTON. Now, is that consistent with our legal system?

Mr. DOBBINS. It is not consistent with either ours or theirs.

Mr. BURTON. I have been in that prison down there. It is a God forsaken hole. It is worse than any place I have ever been in in my life.

Mr. DOBBINS. It has improved somewhat since you have been there.

Mr. BURTON. The only way to improve that prison is to take a bulldozer and level it. There was a 20-foot high wall of excrement, and the sewers were open in there. I could not walk through the place without almost regurgitating it was so bad. It was horrible.

And you are telling me this guy that they have arrested in Haiti has been in prison now for 6 months without any charges being brought against him?

That flies in the face of what we believe to be a fair and equitable law enforcement judicial system, yet we are supposed to be down there enforcing law?

Now, if the guy is guilty, he ought to be charged, and I would like to know about it. I want you to find out who this fellow is, and find out why he has not been charged. If he is guilty, then I would like to know why they have not brought the charges. Six months is more than adequate time.

When we arrested O. J. Simpson, he was charged that day. The trial lasted a lot longer than most people would like, but he was charged that day. And you are telling me 6 months. That is intolerable. If he is guilty, he should be charged and indicted, and let us know about it. And if he's not guilty, he should not be in there the first place. We want to find out about that.

Do you know the gentleman's name, by any chance?

Mr. DOBBINS. Claudie, Big Claudie is his name.

Mr. BURTON. Big Claudie?

Mr. DOBBINS. I am sure he has a more formal name.

Mr. BURTON. OK, but they will know who he is down there.

Mr. DOBBINS. Yes.

Mr. BURTON. The second thing that you mentioned is that the prison has been improved in Haiti.

Mr. DOBBINS. And I do not know that he has not been charged. He has not been, as far as I know, indicted or put on trial. The investigation is continuing, and he is still under detention in connection with that investigation.

Mr. BURTON. Detention in that prison——

Mr. DOBBINS. I do not know that he is in that prison, but he is——

Mr. BURTON. Well, I do not know of any others in Port-au-Prince. I do not know.

Mr. DOBBINS. Well, the Petionville jail is used frequently for cases like that.

Mr. BURTON. OK. All right.

Ms. PARKER. May I speak to the issue of prisons?

Mr. BURTON. Yes.

Ms. PARKER. We have been doing some prison rehabilitation in Port-au-Prince, and we have separated juveniles and women from the male population. We have put in sanitary facilities and increased security in the prison. We have trained all prison guards in the national penitentiary; we are about to sign an agreement with the UNDP program for continuation of a prison training program, and we have a prison detention registry whereby we can trace all detainees.

Mr. BURTON. Are they still keeping people in that same prison in Port-au-Prince?

Ms. PARKER. There are some, yes.

Mr. DOBBINS. Oh, the national penitentiary is being used, yes.

Mr. BURTON. How did you clean that one up? You said you made an improvement.

Ms. PARKER. We put in sanitary facilities and showers, cleaned it up, painted the walls, and put in windows.

Mr. DOBBINS. We heard you when you got back from that trip, sir.

Mr. BURTON. Well, I am going to have to go back down there and take another look at it.

Ms. PARKER. It has improved.

Mr. BURTON. OK.

Ms. PARKER. It is not great, but it has improved. It is much better.

Mr. BURTON. Well, an improvement would still make it horrible.

Ms. PARKER. We are also asking other donors to provide funding so that a new national penitentiary can be built down there.

Mr. BURTON. A new national penitentiary?

Do you have any idea on the cost of that? I am just curious.

Ms. PARKER. We have engineering analysis now. No, I do not know the cost in hand. But we are confident that we can get money for this purpose.

Mr. BURTON. OK. Ms. Parker, the Finance Minister, Marie Michelle Rey, said in a recent article that she is against the government's privatization program, calling it "a poison" that will "kill the Haitian people." The anti-privatization movement developing on the island places in doubt Haiti's access to about a billion dollars in foreign aid from the United States.

Now, what is interesting about that is the State Department has said that she is one of the two key proponents of privatization.

How do you square her statement in this article saying that privatization, or free enterprise, is a poison that will kill the Haitian people on the one hand, and on the other hand the State Department saying that she is a proponent of it?

Mr. DOBBINS. The quote is wrong.

Mr. BURTON. The quote is wrong?

Mr. DOBBINS. Yes. I am confident she never said that. Maybe a misidentification, that could be the problem. The government has a wide spectrum of opinion, and it is possible some other minister said that.

Ms. PARKER. She is a strong proponent of economic reform and privatization in Haiti.

Mr. BURTON. Privatization and free enterprise?

Ms. PARKER. And free enterprise; yes, indeed.

Mr. BURTON. We will contact the writer of this article. Her name is Marilyn Moore, and we will double check that. And if it is verified, we will get back in touch with you and maybe you can talk to Madame Rey.

Mr. DOBBINS. We certainly will if it turns out to be true.

Mr. BURTON. But we will check on that.

How long do you think it is going to be before the police force or security force down there is going to be adequately prepared to take care of the crime problem and to establish law and order issue before we should pull out?

Now, you said in your opening remarks that we were going to pull out when the new president took office. You heard Congressman Payne and Congressman Goss say that they did not think that the police force would be adequately prepared. Congressman Payne said the U.N. troops ought to stay for at least another 6 to 8 months. Congressman Goss said that he thought that it would not matter if they stayed there another year; they still would not be prepared.

So can you give us some idea of what the State Department's position is on that?

Mr. DOBBINS. I will be happy to, Mr. Chairman.

Let me say, first of all, that by February Haiti will have the best police department in its history. Point one.

Point two, it probably has the lowest crime rate of any society of that size in the Caribbean or even in the hemisphere at the moment. Now, that may not continue. It is extremely low.

Mr. BURTON. But is that not in large part due to the occupation forces that are there as well?

Mr. DOBBINS. I think they deserve a good deal of credit, but, no, I do not think it is entirely due to them. I think it is partially a question of Haitian society, which is a lot less violent than normally thought. The problem is that there is political violence which contaminates the whole political process; not that the society as a whole is a particularly violent society.

So anyway, that is point number two.

Point number three, that police force, although the best in Haiti's history, will still be new, untried, newly trained, and untested, and it is going to need support and assistance.

Now, our Department of Justice, the ICITAP training program is going to continue. We will have completed the basic training of those 5,000 cadets, but we are going to go back and then begin training them as SWAT teams, training them as forensic experts, training them as detectives, training them in crowd control, and that sort of thing. So there will be a continued process of training.

Second, our Department of Justice and other elements, in particular, AID is going to be supporting them, as are other countries, with equipment and with advisors who can beef up the management structure, and sustain them through that period of testing and experience.

Third, I think that we are going to talk to the United Nations about what they can do. They have 800 civilian police there now from a dozen different countries, including over 100 French police, and over 100 Canadian police. And I think we need to talk about how much of that kind of effort can continue after the peacekeeping

operation is over, and whether others like the French and the Canadians, who have hundreds of policemen there now who are assisting these police and advising them, whether they are prepared to sustain, you know, their role in some capacity after February, and we have got to talk about that.

So the international community has to stay engaged. We need to continue to support that police force and we are prepared to investigate and discuss means of doing so. And I appreciated the discussion this morning. I followed it closely, and I will certainly take those thoughts back.

Mr. BURTON. I met with President Aristide in Haiti, and there was some concern about the police force, and he keeping some of the people that had been thought by opposition party leaders to be assassins, and perpetrators of political atrocities. There was some question about making sure that those people were not incorporated into the police force or put in positions of power.

And there was one gentleman in particular. I cannot think of his name right now. Do you remember his name?

Voice. CHERUBIN.

Mr. BURTON. Cherubin. I asked specifically about his being in a position of leadership, and Aristide told me point blank that he would not be, and he was not going to be in his cabinet or in his administration.

Can you tell me what happened to that gentleman and whether or not there has been a responsible vetting of those in the force?

Mr. DOBBINS. The Cherubin who at the time you spoke to Aristide, I think, was a general in the army, and was an advisor in the palace, retired from the army shortly after your conversation, left the palace and has performed no official function since. And as far as I know, there has been no discussion of him having some—

Mr. BURTON. So he is not involved in the government in any way that you know of?

Mr. DOBBINS. That is correct.

Now, the vetting process, there was a 6,000-man military.

Mr. BURTON. Right.

Mr. DOBBINS. Half of whom were kept as police. There was a process of vetting. It was done very rapidly. It was far from perfect, but we think we got rid of the worst of the 3,000, more or less, and kept the best of the 3,000.

Mr. BURTON. How many from the military are still in the force? Do you know?

Mr. DOBBINS. About 2,000 at the moment.

Mr. BURTON. Two thousand of the original force?

Mr. DOBBINS. But soon it will be down to zero. In other words, all of these people are leaving.

Mr. BURTON. Being replaced by new personnel?

Mr. DOBBINS. The army is being totally dismantled. The police are being recruited in a new and competitive, open process that I describe. And there will be 5,000 of them by February on the streets.

There have been a small number of people at supervisory level who have been put into the police because we are training 18- to 22-year olds. They need some adult supervision. And they are pick-

ing people from civilian life—lawyers, people with some management experience, people in community leadership positions—and they have taken some people from the army. It is a minority of those. There may be 10 or 15 at the moment total, and put them into management positions and the police.

Perhaps some of what you are hearing is, are these people who are from the old army, and thus from a background that makes them at least suspect, going somehow to contaminate the police force?

Our view has been that one should minimize the introduction of these kind of people. The counter argument, which some, including the United Nations make, is that these are the only people that actually know how to run a police force, and you need somebody there who has more than, you know, 30 days experience when we leave. So there are these tensions.

Mr. BURTON. But they will be gone by the time we withdraw our forces and the control will be turned over to the Haitian force?

Mr. DOBBINS. The interim police force will be virtually gone. I mean, I think it is March that actually the last one phases out on the current schedule, but virtually gone by the time the peacekeeping operation comes to an end. Whether there is a dozen or two people who transition from that into the new police force, I do not know.

Mr. BURTON. But it will be a minimal number?

Mr. DOBBINS. It will certainly be a small number, and they will certainly be subjected to a good deal of scrutiny.

Mr. BURTON. There was some concern that the military junta that took over had military supplies stored in and around Port-au-Prince and other parts of the country, so that in the event that they did lose power at some point they could rise again, or cause problems.

Is there any concern that there are still supplies out there with which an opposition force could try to take power again once the forces leave?

Mr. DOBBINS. I would not want to dismiss it entirely, but at this point I do not think we rate the prospect as very high in either that there is a significant number of weapons or if there is, that they would likely to be used in that way.

First of all, we rounded up about 20,000 weapons, some of which we bought; some of which we seized.

Second, there really was not any evidence of large-scale arms caches, let alone arms caches consciously done by the armed forces. And we rounded up far more weapons from the armed forces than our own intelligence people thought they had. We got, you know, 150 percent of what they estimated the total weapons availability for the armed forces was.

Now, there certainly are some weapons in Haiti, and even if there were not, Haiti has got open borders. You can buy weapons. So, you know, if people want weapons in Haiti, they are going to eventually get access to them.

Given popular attitudes toward the old regime, and anybody who would try to reimpose it, anybody who undertook such a course would put themselves at great risk. And our sense is that large-scale coup efforts are not a high probability in the aftermath of the

departure of international forces, but it is not something that can be discounted entirely, and it is one of the reasons why we believe that this police force needs to be sustained even after we leave, and given training, given a SWAT team, given the capacity to respond to those kinds of things, as well as the more mundane criminal activities.

Mr. BURTON. OK, let me ask you one more series of questions and we will yield to Congressman Payne.

When will the presidential elections be held? What do you anticipate the reaction is going to be if Aristide decides to run again? You said he will not, but if he does. And what will be the reaction if he does?

You said the election is going to be held later this year. This is October. We do not even know who the presidential candidates are going to be. They must have pretty short campaign cycles down there. We would like to know who you anticipate might be the candidates if Aristide does not run. And if he does, what is going to be our response? When would the elections be held?

And Aristide has made a commitment that he will not campaign for anybody in this election; that he will stay out of it, as I understood.

Mr. DOBBINS. Not that I know of.

Mr. BURTON. He is going to participate in the campaigns?

Mr. DOBBINS. I do not know. I do not know.

Mr. BURTON. We were led to believe that he would not be a participant in the campaigns as the outgoing president. But if you could respond to those questions.

Ambassador Swing, as told us repeatedly that Aristide has given his word that he would not be campaigning.

Mr. DOBBINS. Oh, there may have been some misunderstanding. I mean, he has repeatedly said he is not going to be a candidate.

Mr. BURTON. No, but Ambassador Swing told us in private meetings, as I understand it, according to my staff just now——

Mr. DOBBINS. OK.

Mr. BURTON [continuing]. that he will not be campaigning or participating in the campaign.

Mr. DOBBINS. OK, that is news to me.

I think the schedule to get this election done in time for a February transition is getting increasingly compressed.

Mr. BURTON. Well, I guess. We are in the middle of October.

Mr. DOBBINS. Right. I think the U.N.'s view is that December 17 for the first round would be an optimal date, which would give them enough time to make sure that you could have a second round; this is a two-round system; and then time for a transition to allow the February 17 date to get met. So we are coming up against that.

I do not think that there is any change that President Aristide would run again in this election. Those who want him to stay are not advocating that he run again. They are advocating that the election be postponed for 3 years on the basis that that is how long he was out of office, in effect.

So the debate is not whether he would run or not. The debate is whether or not the election would get postponed. Aristide has made it absolutely clear that it is going to be held on schedule and

that he is not going to run again, and another successor will take office on February 7.

What is interesting and what is a little different in Haiti from 3 or 4 months ago is that where 3 or 4 months ago he was saying that and nobody believed him. But today his closest associates are behaving as if they believe him. In other words, there is discussion within the party about successors. There have been people who have come forward and thrown their name in the hat. There are others who are clearly prepared to do that if they get a signal that there would be receptivity to it. And his closest advisors are looking for other jobs.

So the assumption now in Haiti is he is serious, and that the elections will take place. The issue therefore is can you put in place an electoral system that encourages broad participation, that brings the opposition back into the process, and which allows not only an election and a new president to take office, but one after a period of vigorous campaigning with a spectrum of opinion.

There, the time schedule and the polarization of opinion in Haiti makes it more difficult to be predictive. But our view is that you are still going to have an election which will take place in time to produce a new president who will not be President Aristide, and who will exceed to office on February 7.

Mr. BURTON. Congressman Payne.

Mr. PAYNE. Thank you.

I will be very brief because, unfortunately, I missed your testimony, as you know. I just, first of all, am one that believes that the term should have been extended; that a 5-year term should have been a 5-year term; not one plus one with 3 years in between. But that is history and the agreement on the restoration of the presidency of Aristide that he would agree that just finish out the term, and that is that.

This whole question of not being able to campaign, I do not know why—you know, it is bad enough being told that you cannot run, but then to say you cannot even have a favor to me does not even make sense. I don't know why we would insist that he not have—you know, if we ever get back in, I would want to campaign for somebody if I left, to keep the ball rolling, you know. And so I just do not see that making any sense at all.

You have the most popular guy in the country who cannot participate. It is almost taking away his First Amendment rights, or whatever that right is in Haiti. But be that as it may, to me, it would not seem like any violation of anything if he decided he has got a cousin that he would like to support, you know, or a person in his political party.

Mr. DOBBINS. One of his cousins has indicated an interest.

Mr. PAYNE. Oh, really?

Well, maybe he is going to back door it, to say I am not going to campaign for my cousin.

The final thing, I just want to ask one question. Would you support or reject a request to continue the U.N./U.S. presence beyond February when they are—and you may have covered it in your talk?

My opinion is that I just think bringing in a new president and exiting external forces, to me, is kind of foolhardy. I would just like to know what your opinion is.

Mr. DOBBINS. Thank you, Congressman.

I did answer that question. The Chairman asked it, I think, on your behalf, as well as his own.

I think, briefly to say we are prepared and working with others to make sure there is support on a variety of ways available to the police of Haiti after February, but we do intend to wrap up the peacekeeping operation that is currently underway, and bring those troops home.

Mr. PAYNE. So you are sure that this new 6-month police department is going to be able to just do the job?

I understand they are going to reduce the 7,000 to 5,000 that they were hoping because of the shortage of money. But you still, you know, hear—feel very confident that there will be no problem.

I keep hearing this \$3 billion investment. You just feel that everything is just firm enough to just—to go because we said. You know, this date certain is something that I have a problem with anyway. You know, we will withdraw our troops, you know, 3 months after we enter Bosnia, or something.

Well, that is the most foolish kind of a policy I have ever seen. It is like a doctor saying, you know, after 2 weeks I will not see you again because you should be well. Well, suppose you have a relapse. Well, it is too bad. To me, it does not make sense.

But I just want to get clear that in your expert opinion, and you have been much closer to this than I, and therefore I must rely on your opinion, you feel that withdrawing everybody at the same time a new administration comes in, and leaving it in the hands of this new understaffed police department is going to be adequate?

Mr. DOBBINS. I think the new police, although it will be the best police in Haiti's history, will require support and assistance of a variety of times from the United States, from the United Nations, and from other countries. We are talking to the United Nations and other countries about how to provide that. But we do believe that the current peacekeeping effort can be prudently concluded in February, and we are planning on that.

Mr. BURTON. Thank you very much. We appreciate your forthrightness, and we will be getting back in touch with you with a couple more of these questions.

Mr. DOBBINS. Great. Thank you, Mr. Chairman.

Mr. BURTON. Thank you very much.

The next panel is our final panel of witnesses: a private one. It is a very distinguished one. Karen Harbert who is now an electoral consultant here in Washington, was regional director for Latin American and Caribbean Programs at the International Republican Institute, and led its election mission to Haiti. I am anxious to hear what she has to say about the election. I understand that she spent quite a bit of time there, and that she did an excellent job. I am going to welcome her when she gets to the table.

Kenneth Wollack is President of the National Democratic Institute for International Affairs, which also performed well on its mission in Haiti.

Robert Pastor, who I understand has to be at the White House in about 20 minutes, is Director of the Latin American and Caribbean Programs at The Carter Center at Emory University in Atlanta. He was Director of Latin American and Caribbean Affairs on the National Security Council under President Carter, and is a well-known Latin American expert.

George Fauriol is the director of the Americas Program at the Center for Strategic and International Studies here in Washington; and is one of this country's most prominent experts on hemispheric affairs.

Finally, we are pleased to have with us this morning Duly Brutus, the deputy secretary general of the opposition PANPRA political party in Haiti.

We will start off with Mr. Pastor.

So, Mr. Pastor.

STATEMENT OF ROBERT PASTOR, DIRECTOR, THE LATIN AMERICAN AND CARIBBEAN PROGRAM, THE CARTER CENTER

Mr. PASTOR. Thank you, Mr. Chairman, for the invitation to participate. I have a prepared statement which I would like to submit for the record. And given the very brief time, I would like to just summarize several points.

My own involvement in the Haitian electoral process began in 1987, and included organizing the election monitoring mission, together with NDI in 1990, and returning to Haiti often since then, including advising and participating in the Carter-Nunn-Powell delegation in September 1994.

If the question before you is whether the vast majority of Haitians are more secure and better off today than they were a year ago, the answer is absolutely yes. But I think it is premature to celebrate success, and it is a grave mistake to suggest that the four elections from June 25 to October 10 were a milestone on the road to democracy.

If the presidential election repeats the mistakes of these last elections, if they do not attract the participation of the major political parties in Haiti, and if the U.N. forces depart on schedule, then I believe Haiti's prospects for democracy will be very poor.

Why do I conclude that? First, the current political situation in Haiti is very artificial due to the presence of 6,000 U.N. officers. You remove that artificial quality, and Haiti's politics will be shaped once again by the acutely inequitable social equation that has made democracy so difficult to sustain in the past.

The old elite are biding their time in Haiti. They are waiting to see what happens in the election and when the United Nations departs. They are eager to take back power.

Second, the police force, as Congressman Payne correctly points out, will not be ready in February 1996. I think it would be a grave mistake to withdraw the U.N. forces simultaneously with the inauguration of a new president, or, frankly, any time soon after that.

The new police will require international supervision for a period of time—perhaps 5 years—of some kind. That does not mean a full U.N. force of 6,000, but it does mean some serious international supervision for a period of time.

Even if the new president has a clean election, I think Congressman Payne is correct that the new president will be weaker than the current president.

But if the election mistakes of the last round are repeated, then that new president will be extremely vulnerable to charges that impugn his legitimacy and authority, and I think that that will make democracy's prospects even more precarious.

It would surprise me if the old elite or elements of the government were not already trying to capture the new police force. The only way democracy can be sustained, however, is if that police force is professional, autonomous, and accountable to the rule of law, and that will take some time to create such an institution. It will not be done by February 1996.

Is it inevitable that democracy will break down in Haiti? No. I think democracy is possible, but it is very problematic. There are two dimensions of a free election which are crucial prerequisites to democracy: technical and political.

Haiti does not have the technical capacity right now to conduct an election on its own. It has required a great deal of international assistance. Even with that assistance, the irregularities in 1990 and 1995 were very great.

The critical difference between the election in 1990 and 1995 was the absence of trust the second dimension. At the end of the election in December 1990 all of the parties accepted the results. Even before the results were announced for the June 1995 election, virtually all of the parties except for Lavalas rejected the results, and they had legitimate complaints.

The problem was that the process of that election campaign did not involve a mediation between the Election Council, the government, and the opposition parties that would have raised the level of trust in the process.

So the question is what to do. I think it is essential for the Aristide government to respond to these legitimate complaints of the major opposition parties.

There is a formula that we developed in Guyana over about a year time, which is available for President Aristide to choose. If he went to the major opposition parties and simply asked them to prepare a list of 20 names of respectable, impartial individuals, and from that list he selected a new Election Council, then the opposition parties would be very hard pressed to contest or question the result of that election. And that new Election Council will be more accountable to a wider segment of the people.

Now, there are many issues that have been raised by the opposition, and, in my judgment, they should be addressed in an effective mediation. The U.S. Government, as Ambassador Dobbins pointed out, tried and failed to mediate this past summer. Someone new needs to do it. I describe in the paper why it is difficult for the U.S. Government to play that sensitive role in a country like Haiti, and why they need to look to alternative ways. It is essential to raise the level of confidence of the major opposition parties in the electoral process if it is going to work.

So just to conclude, I think when I was there last February with former President Carter, Senator Nunn and General Powell and

former Prime Minister Belize, George Price, Senator Nunn said we have a 1-year plan for a 10-year challenge.

President Clinton and the United States and the U.N. Security Council made a courageous decision to help restore constitutional government to Haiti. Our nation has invested much in democracy since then. It would be a terrible mistake if we were to abandon this project at this time. I think, rather, what we need to do is focus on our most important priority, and in my judgment the single most important is to ensure that the presidential election involves and is acceptable to the major political parties in Haiti, and therefore is viewed as legitimate by the international community.

[The prepared statement of Mr. Pastor appears in the appendix.]

Mr. BURTON. Thank you. We will stand in recess for about 10-12 minutes.

[Recess.]

Mr. BURTON. We will reconvene this meeting.

Dr. Fauriol, do you have a time conflict?

Mr. FAURIOL. Yes, but I will follow whatever priority you have in mind.

Mr. BURTON. We wanted to hear from Mr. Brutus next. We will try to confine everybody to the 5-minute rule so we can get the questions at the conclusion of the testimony.

So, Mr. Brutus, we will give you a little bit extra time since you are using an interpreter.

STATEMENT OF DULY BRUTUS, DEPUTY SECRETARY GENERAL, PANPRA POLITICAL PARTY

Mr. BRUTUS. [Through an interpreter.] Thank you very much.

For me it is a great pleasure to testify here this morning in front of the Committee on International Relations regarding the situation in my country.

My party, the PANPRA, and I appreciate the effort made by the international community in order to help Haiti follow the path to democracy. I want to especially thank Congressman Dan Burton as well as all the members of the committee. I will speak on behalf of my party, but I will make the necessary effort to take into consideration the concerns of the other major political parties who are working to build a pluralist democracy in Haiti.

Before testifying on the situation in my country, I want to make certain points on what was said before me.

When it comes to the Limbe, first of all, regarding the concerns expressed by Cass Ballenger, we were told that documents went to Port-au-Prince and St. John School. And I think that they had sent a letter of thanks to Cass Ballenger.

Second, Mr. Dobbins talked about the elections that supposedly were held in May in Haiti. That is not quite correct. In 1990, there were elections to elect mayors in Haiti. And also there was an attempt to compare elections that took place in Africa with elections in Haiti, and I do not think that is quite right.

We had our first democratic elections in Haiti on the 16th of December, 1990, and that was thanks to Madam Trouillot who was able to get above all political parties, and not to get involved in the election process.

And that leads me to also this question about whether if one truly wants to promote democracy in Haiti, why one would not want President Aristide to participate in the campaign. We feel that the fact that he participated in the campaign for Lavalas created tension in Haiti during the legislative elections, because it is true that our country has no democratic culture.

In Haiti, normally it is the president who sets the tone. So that when the president runs or carries out a campaign for a candidate, that has a negative impact on the elections because those who are to organize the elections tend to follow what the president of the republic wants.

Now, when it comes to the legislative elections, I would like to say very clearly and very simply that they were not democratic elections. I am a victim of the elections which were held on June 25, 1995.

My car was destroyed. My house was destroyed. Men with guns came to my house to kill me, and nothing was done by the government. Up to now, no measures have been taken. Afterwards, I was arrested and accused of having set the polling station of Limbe on fire.

There was a climate of intimidation during the entire election campaign, and here I would like to refer you to the article in the Wall Street Journal which came out on the 14th of April, 1995. At that point I had already denounced the situation. [The article appears in the appendix.]

President Aristide knows me personally. He knows that I tend to be frank in the way I speak. We had a meeting at the National Palace, and I told him this type of climate was not normal for an election. I do not want to get into too many details about the problems we had during the electoral campaign, but I would just like to mention certain basic facts. This list is very lengthy but I am just going to mention a few names.

The RDNP candidate, Mr. Milot Gousse, had to turn back because he was attacked and his chauffeur was killed. Up to now no investigation was carried out to know who killed Mr. Milot Gousse's chauffeur.

The FNCD candidate in Borgne, Mr. Jude Faustin, had to leave his district, which is close to my district, because 2 years prior to the elections the Lavalas network tried to kill him.

The FNCD candidate, Mr. Henock Jean-Charles was killed, but up to now no investigation has been carried out. I, Duly Brutus, was thrown in jail.

We have in our party a very dynamic woman who is the chairperson of the Commission on Human Rights, and who is a former deputy. Two days before the election, Lavalas activists went into her house and forced everybody to lay down on the floor. They were carrying guns, and they hit her father and they made death threats against him.

Our party prepared a White Book. It is not the facts that are missing. We have already submitted that White Book to the U.S. Congress.

So that was the climate that existed during the election. Unfortunately, the international community seemed to have remained blind and did not see any of this.

For everyone, including for the international community, the June 25 election was a failure. It was only the Lavalas party which controlled the polling stations, and that is why on the very day of the elections the political parties protested and said that they could not go on with this election travesty.

The parties are very disappointed because up to now they had placed a lot of hopes in the determination of the international community to promote democracy in Haiti. For reasons that we still do not understand, efforts are being made to promote the establishment of a single party system. We now have a parliament and a senate, and in the senate 18 Lavalas candidates were elected to the 18 seats.

I boycotted the elections, but my name was on the bulletin on August 13. The international community knows that. The Electoral Commission knows that, but we were told there was no boycott on the part of the candidates.

Mr. BURTON. Let me interrupt, Mr. Brutus. I think we are going to have a number of questions for you in just a few minutes, so let us go ahead and hear from the other witnesses and then we will get back to you. You have raised a number of issues.

One thing I would like to ask though, do you have a copy of this White Paper or this book with you? I would like to see that. If you do not—do you have a copy of that? I would like to take a look at that and review it.

[The prepared statement of Mr. Brutus appears in the appendix.]

Mr. BURTON. We will now hear from Karen Harbert, who is an electoral consultant here in Washington. She was the regional director for Latin American and Caribbean Programs at the International Republican Institute, and led its election mission to Haiti. I understand she spent quite a bit of time there and did an excellent job.

Ms. HARBERT. I will do my best.

STATEMENT OF KAREN HARBERT, ELECTORAL CONSULTANT

Ms. HARBERT. Thank you, Mr. Chairman. It certainly is a pleasure to testify in front of your committee today at what I believe is a critical juncture in Haiti's history.

First and foremost, I think we need to recognize the Haitian people for their patience and their commitment to laying the foundation for democracy in their country. They have endured decades of authoritarian rule, and most recently, 3 years under a military regime. And what we have to examine today is, after the investment of \$3 billion of the U.S. taxpayers' money, and 20,000 U.S. troops, how have their lives and their pursuit of freedom been advanced.

The most important opportunity for Haiti to further that process was obviously the June 25 elections. The elections could have set Haiti on a path to badly needed reconciliation. However, in the aftermath of that chaotic election process there has been a rebirth of a severely fractured political society reminiscent of the Duvalier days. From the beginning of the electoral process, when Aristide failed to promulgate the electoral law which was passed by both chambers of the parliament, and passed his own by decree, the Haitian political parties, with the exception of those directly sup-

porting Aristide, have been marginalized at every step of the process.

Twelve days after Aristide was returned to office, he held a meeting with 12 of the major political parties to determine the modalities of the elections. They made an agreement that the nine members of the CEP would be chosen from a consensus list by the political parties. However, on December 16, the new CEP was named and only two of those members were found on the parties' list. The 11 parties then made a proposal to the CEP to name two-thirds of the local officials and let the CEP name the remaining one-third, so that they would have some representation in the electoral process. On March 2, their proposal was summarily ignored, and all the local officials were named by the CEP.

The CEP set its own electoral calendar, but they managed to meet no single deadline. The election was postponed three times. Most alarming was their failure to provide candidates with reasons for their rejection from the process, and also their inability to ever publish a final candidate list.

The candidate registration review process was carried out under a cloak of secrecy, which was further aggravated by the CEP's refusal to respond to party and candidates' protests, or simple inquiries.

When the CEP president himself announced that one million voter cards were missing, confidence in the system was eroded from the public and from the local parties.

So this lack of credibility, the complete lack of operational transparency, and its seeming arbitrariness set the stage for what we were to see on June 25.

But what is much more alarming to me and to others in the international community that were observing this process is that there were ample opportunities to correct this process along the way. I know. I was director of the IRI mission, and IRI provided regular reports to the United States and to the Haitian government about the problems that we were witnessing. None of these problems were addressed.

This was an incredible opportunity for President Aristide to encourage his country to come together for the elections, to ensure an open process, and he then could reap the seeds of his own reconciliation. Yet he remained mysteriously silent except to only endorse his political movement's candidates.

On June 25, the CEP did not provide adequate training. It did not provide voter education, and it encountered incredible logistical difficulties. This resulted in an electoral breakdown. When the votes were finally transported to their collection sites, IRI observers all around the country witnessed alarming disorganization and irregularities. Unsealed boxes of ballots were piled to the ceiling with ballots spilling out. Marked ballots and tally sheets were strewn around the buildings, on the floor. Opened bags of unused ballots were available. And we witnessed deliberate tampering with ballots and tally sheets. There was no system to log in or keep track of any of these materials.

At this point, and with IRI's experience of witnessing elections in 30 countries, and 50 elections, we made a determination that the integrity of the results and the verifiability of the process had been

destroyed. We released IRI's final report yesterday, which chronicles these problems in much more detail.

I would like to address one thing that Ambassador Dobbins did bring up, that he quoted from the OAS report, that they were at the BED in the west, and that they did not witness any of these problems. But people with untrained eyes might have interpreted this as chaos.

First, we had been in the country since May 1. The director of the OAS mission spent 14 days in that country.

Second, he held one political meeting with all the local parties. We held copious numbers of meetings.

And third, our staff does speak French and Creole. So I think we are trained and we spent a lot longer time in that country than we were given credit for, and I think that might be the reason our conclusions are different from the OAS.

Fortunately, there were no big outbreaks of violence due to the presence of U.S. and U.N. troops. But the Haitians themselves, despite this, were still denied the process. Twenty-six out of 27 political parties called for the annulment of these elections, and boycotted the following two elections. Despite this, despite resolutions by the political parties on four separate occasions, two visits by the Deputy Secretary of State, and a very concrete proposal by the three largest political parties to resolve the crisis, the government of Haiti carried on.

What signal does this send to the opposition? What path are we going down? What path are we going down when the United States Vice President is going down on October 15 for the inauguration of the parliament to give them the credibility that they could not manage to achieve in this electoral process?

This is not a foreign policy success. This is an electoral machine that did not work. And when these 6,000 troops and these funds dry up, what are we going to leave behind? What have we done to strengthen the institutions that Haiti needs to depend on in the future?

Those are the questions that we need to answer, and I will ask that IRI's 36 recommendations to improve the electoral process be included for the record—

Mr. BURTON. Without objection.

Ms. HARBERT. And I would hope that the government of Haiti would make a good faith effort at implementing those and those of The Carter Center to see a better election process.

Two last comments. My colleague, Duly Brutus, has already touched on a number of the political assassinations that we have been witnessing, and I would just like to say that I think it is very disturbing that the leadership in Haiti has not decried the return of violence and the lack of these investigations and the government's complacency is something that your committee certainly needs to be concerned about.

I will leave my comments about the police force and economic reform for the record.

[The prepared statement of Ms. Harbert appears in the appendix.]

Mr. BURTON. I want to thank you very much, and hope you can stick around because we do have some questions for you.

Ms. HARBERT. Certainly.

Mr. BURTON. You raised a number of very important issues.

Kenneth Wollack is president of the National Democratic Institute for International Affairs which also performed well in its mission in Haiti.

STATEMENT OF KENNETH WOLLACK, PRESIDENT, NATIONAL DEMOCRATIC INSTITUTE FOR INTERNATIONAL AFFAIRS

Mr. WOLLACK. Thank you very much, Mr. Chairman. I have a longer statement that I hope can be included in the record.

Mr. BURTON. We will see that that happens.

Mr. WOLLACK. One year ago this week, Mr. Chairman, Haiti's democratically elected president was returned to his country—a country devastated by 3 years of repressive military rule that followed the September 1991 coup d'etat. None of us, I imagine, will soon forget the scenes last October of Haitians' joyous reaction to the return of their president and their renewed hope for democracy. Nor should we forget scenes that preceded President Aristide's return—that of a large number of desperate Haitians risking great danger to boat or raft to U.S. shores, usually ending their trip in the swelling ranks of the refugee camps at Guantanamo Bay.

Haitian's democratic future should not be judged solely on the conduct of the June 25 elections, and the election reruns and run-offs of August 13 and September 17. However, there were significant problems in the administration of the elections.

If Haitian's democratic system is going to progress, many of the problems will need to be addressed before the presidential elections scheduled for December. At the same time Haitians can and should build upon a number of positive elements that were not present in previous electoral exercises.

Based on the findings of an NDI survey mission that visited Haiti 2 weeks after President Aristide's return, we opened an office in Port-au-Prince in January, and began implementation of programs designed to strengthen the credibility of the electoral process, and to help build nascent democratic institutions. These programs, funded by AID and the National Endowment for Democracy, included: the training of party pollwatchers; organizing political party debates; and encouraging and facilitating dialog among political parties, electoral authorities, and others involved in the elections.

All of our programs were nonpartisan and included the participation of ruling and opposition parties.

A party leader summit, organized by NDI in February, served to address major concerns about the electoral process. The meeting also marked the first time that party leaders from across the political spectrum had an opportunity to hear from representatives of the new Provisional Electoral Council, the CEP. NDI helped train party pollwatchers in all of Haiti's nine departments, and the turnout of party pollwatchers on election day was impressive.

The NDI's civic education program was developed to address the real need for an issue-based campaign. Parties in Haiti have generally been viewed in terms of personalities rather than vehicles for debating public policy issues. Moreover, in previous elections, political debate was often met by violence. NDI invited a group of Hai-

tian civic leaders to organize four public debates in May and June in which candidates could define their party positions and respond to questions by journalists and the public. Five to six party representatives at each debate site discussed a broad range of issues, including cost of living, decentralization, and privatization. The debates were held in Port-au-Prince, Cap Haitien, Gonaives, and Les Cayes, and were attended by nearly 2,000 citizens and covered extensively by the news media, including national radio and television.

Traditionally, Haiti has not experienced constructive, open political dialog. Deep divisions among social classes remain unbridged, and extreme distrust prevails. NDI determined that it could assist in building credibility in the Haitian electoral process by developing a program to facilitate communication among political leaders and others involved in the selections. This NDI program was led by a former vice minister from El Salvador, who was a key participant in negotiations to end the civil war there. He established regularly daily contacts with parties to foster a climate in which the participants could resolve differences, work together to find solutions, or at a minimum, understand more clearly each other's points of view.

The program began with a second political party summit to discuss a code of conduct and a regular mechanism for discussion of inter-party issues. The parties and the CEP agreed officially to form an Electoral Monitoring Unit which, unfortunately, was not implemented, that would give the parties an additional role in ensuring the integrity of the process. There was also an agreement on a code of conduct that was agreed to by the parties, and the CEP.

The NDI did not field the international observer delegation for these elections. Rather, we chose to concentrate our efforts on the programs that I had mentioned earlier. Therefore, I am not going to comment on specific aspects of election day proceedings. Others are better suited to comment on international observation of these elections.

However, NDI joins others in noting that the problems during Haiti's 1995 elections were severe. From the outset, the CEP failed to build an open electoral process. The CEP had enormous responsibilities and a complicated task. However, these challenges were compounded by public confrontations with political parties and international agencies.

The coming presidential election provides an important opportunity to learn from past mistakes, as well as to build upon some of the more positive aspects of the country's continuing transition to democracy. NDI sees reason to remain optimistic. Conspicuously absent from these elections was the violence that had marred previous balloting. We believe that Haitian are open to new avenues of dialog and understanding that can produce more balanced solutions to these difficult challenges.

While the composition of the CEP remains a controversial issue among political parties, the Council, after recent changes in personnel, appears more willing to address problems and to communicate openly with party leaders and the public.

With little time to prepare for the December presidential elections, a concerted effort must be made to continue to promote agreement between the government, the CEP and political parties on election-related issues. Dialogue must be carried out in a spirit of tolerance and compromise on all sides.

Furthermore, while not to minimize the serious problems in the June elections, I am unaware of evidence that would point to widespread or systematic fraud or to irregularities that could have significantly altered the outcome of the elections. Such fraud and/or irregularities were evident in the Philippines in 1986, Panama in 1989, Cameroon in 1992, and the Dominican Republic in 1994.

For its part, NDI is prepared to continue with assistance during the presidential election period, including training of party pollwatchers and the Electoral Monitoring Unit, and to support presidential candidate debates. Already we have invited ruling and opposition party representatives to attend NDI-sponsored program on West Africa, on mechanisms for resolving election-related disputes.

The NDI also plans to support voter education by assisting and disseminating electoral messages to the public.

Last, NDI's efforts to facilitate communication will include a new program begun in the period after the June legislative elections, that is, the establishment of an Electoral Information Center, a meeting place and resource center for journalists, electoral authorities, political party workers, and members of the international community. Already the CEP is utilizing the center to communicate with the Haitian public.

Mr. Chairman, we at NDI remember vividly the tragedy of the aborted 1987 elections in Haiti. International observers sponsored by our institute saw numerous shootings at defenseless voters who were waiting patiently in line to cast their ballots. Two groups of NDI observers were fired upon; three bullets hit the vehicle carrying one of the groups.

These memories remind us of the courage of the Haitian people and their aspirations for a democratic future. Recent events underscore how much has changed, but so much more has to be done. The international community now has an opportunity to continue to advance democracy in Haiti, and do so measurably. As the country prepares for presidential elections, the Haitian people deserve our support.

Thank you very much.

[The prepared statement of Mr. Wollack appears in the appendix.]

Mr. BURTON. Thank you very much, Mr. Wollack.

Dr. Fauriol.

Dr. FAURIOL. Like in Baltimore Orioles.

Mr. BURTON. Fauriol, OK. Baltimore Orioles did not make it.

Dr. FAURIOL. I know.

Mr. BURTON. Well, maybe next time.

Dr. FAURIOL. Maybe I will change my name.

STATEMENT OF DR. GEORGES A. FAURIOL, DIRECTOR, AMERICAS PROGRAM, CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES

Dr. FAURIOL. Thank you, Mr. Chairman. I appreciate the invitation to provide my views on the state of U.S.-Haitian relations. Let me summarize my statement with the following comments.

As others have said before, the strategic assumption made by the United States was that President Aristide's return was justified primarily in order to maintain constitutional legitimacy in Haiti. But also that this would establish the foundations of a new democratic order in Haiti.

As some of the comments that you have heard so far this morning suggest, there indeed is a new order on the way, but what is emerging may not be entirely democratic. Let me expand on that point.

Three objectives, I think, frame U.S. actions toward Haiti: the election of a new parliament, the orderly transfer of presidential authority to a new democratically elected president in early 1996, and implementation of a package of significant national reforms.

On the first point, the results of the June 25 parliamentary elections have already generated a lot of commentary. The result of that process is now upon us. In a few days the parliament will be inaugurated with the United States represented by Vice President Al Gore. The verdict, as we have heard so far is at best, messy.

I was an election observer with the IRI at that time, and let me give you my brief impressions. There was no violence, perhaps, although we hear otherwise from Mr. Duly Brutus. There may not have been determined fraud. Rather, I would say there was an almost perverse application of responsibility to manage the system by Haiti's interim Electoral Council, coupled by remarkable negligence among portions of the international community, and President Aristide and his government to provide corrective measures in due time.

The question now is what conclusions can we draw from this messy process.

First, the Lavales OPL group comes into the new legislature, and in many municipalities and in local government, with majorities that probably range close to 75 percent control.

Second, the Haitian and the international community overall appear disposed to discount both the imperfections of the June elections, as well as the implications that this might have on the upcoming presidential elections.

Ambassador Dobbins' comments this morning appear to confirm this, in this case using OAS assessments of the June elections.

And, third, with Vice President Gore's visit to Haiti in a few days, the United States appears to be endorsing the current political process and all of its imperfections, and perhaps to some degree, foreclosing policy options in the months ahead.

I might add that I am sympathetic to the difficulties of creating a viable democratic environment in Haiti, but one cannot simply discount all flaws or explain them away.

Haiti's electoral problems cannot be assigned simply to the difficulties of poverty or the political implications of a 3-year crisis. I would argue that one senses amongst some Haiti observers an at-

titude that implies that the June elections were in fact just a ratification of President Aristide's leadership rather than an essential process designed to elect a new key branch of government as well as local community leadership.

The second test in policies toward Haiti are the presidential elections. The verdict is still out, obviously, since they have not taken place. But I would establish a linkage between the uncertainties of the June parliamentary process and the upcoming presidential contest.

The calendar has already slipped to December. I would suspect that that is not an exact date. It more likely will be held in January because of technical problems to hold those elections.

What we might face are not only logistical problems but also a fundamental erosion of the electoral character of the event with perhaps little political opposition participation, and most of the electoral dynamic build around a broadly based Lavales/Aristide cult movement. The presidential elections could resemble, in effect, little more than a referendum. This could raise questions regarding the viability of a new government coming into office in 1996.

There obviously are a number of other troubling features to the electoral process that others at this table have already commented on, and probably know better than I do.

I would simply highlight one issue, if I may, on this question. What worries me is the open disdain that you occasionally have among Haitian government and local community leaders in Haiti toward opposition of political parties, which I think is an unhealthy attitude for the upcoming presidential elections.

The third issue that we face involves the reform process, economic security and judicial reforms. Let me just simply make a comment on the economic reform program before closing.

It is perhaps in this area that Haiti's reconstruction process may be faltering the most dramatically. Economic reconstruction commits in an array of foreign governments, international institutions, business interests and voluntary groups. And the most symbolic and growing controversy now involves the privatization program. Let us face it, it is at a standstill. It is caught between a weak government economic team led by Prime Minister Smarck Michel, and an openly hostile president and political community in Haiti.

With the incoming parliament likely to name a new prime minister, I think the outlook in this area is not very good. The debate is turning political and, therefore, ideological.

I conclude, therefore, with the following observation. The opening portion of this hearing raised an important question, namely, that the committee will have to prepare itself for some serious soul searching regarding U.S. linkage to the U.N. mandate and what to do about it. It was an interesting gambit, if you will, or description of the parameters of the issue, as provided by the brief commentary of both Congressman Goss and Congressman Payne.

That, I think, is the core of the debate, but that debate, in part, can be decided by close scrutiny of the electoral process and the reform process in Haiti now and early next year.

In my written statement I allude to a number of steps that the committee might take to encourage and shape the agenda, but I will refrain from mentioning them at this point.

Thank you.

[The prepared statement of Dr. Fauriol appears in the appendix.]

Mr. BURTON. Thank you very much.

We have been joined by the Chairman of the International Relations Committee, Ben Gilman, of New York, and we are very happy he is here. Welcome, Mr. Chairman.

Mr. GILMAN. Thank you.

Mr. BURTON. Do you have a comment you would like to make?

Mr. GILMAN. No, just that I want to commend the panelists for taking the time to give us their observations as we approach a very serious time in Haiti's progress toward democracy.

I would like to ask all the panelists, do you believe that the international community should or could have intervened more aggressively to ensure a smoother parliamentary election process? Just to all of the panelists.

Mr. BRUTUS. There I would like to take that opportunity to say that I was also against the idea of solving the Haitian problems through an economic embargo. We are a poor country and the Haitian people have suffered too much.

The international community went into Haiti to establish democracy, and we feel that it has enough influence to continue to do good work in Haiti. But our impression is that the international community really is concentrating on Haiti's solution to the problem.

Mr. GILMAN. Ms. Harbert.

Ms. HARBERT. Well, I think what we are seeing right now is the international community's inability to push an intransigent government into doing some of the actions that we would like to see them undertake.

I think that that offers an opportunity, since we have lost one, there is an opportunity to rectify that, which is why there are a number of recommendations on the table to pursue. Hopefully, the U.S. Government would wholeheartedly endorse the government of Haiti to undertake these actions. But it is disheartening to see the complacency of the government and the large expense to the taxpayer, which has resulted in a very splintered Haitian society.

Mr. GILMAN. Mr. Wollack.

Mr. WOLLACK. Mr. Chairman, I guess hindsight is always 20/20. I think that the international community did a great deal in this process, including governments, regional organizations and non-governmental organizations. It is always a fine line, though, when one is trying to support an election process.

Does one stand behind those in the country who are running the process and participating the process, or does one stand in front of those people?

And it is a delicate balance that one takes in the process.

Sometimes one has to cajole. Other times, pressure is necessary. And I think a number of recommendations were accepted and implemented. At other times they were not. And I think it is a delicate balance. I think, though, a great deal was done. I do not know what more could have been done in terms of the international community's role without undermining that balance.

Mr. GILMAN. Dr. Fauriol?

Dr. FAURIOL. Mr. Chairman, I think the only area where, particularly in retrospect, it is regrettable that nothing was done in connection with the leadership of the Electoral Council in Haiti. This was not a mystery. This was opened to everyone involved in the election process. Everyone knew that the Electoral Council was not very responsive.

I have to admit that as to why no changes were pushed forward, I do not have the answer, but certainly it is an intriguing question.

Mr. GILMAN. Just one other question. Do you think the OAS human rights monitors have been functioning appropriately and doing an effective job? To anyone on the panel.

Mr. BRUTUS. You are talking of the monitoring for the elections or for—

Mr. GILMAN. For human rights.

Mr. BRUTUS. I would say that I felt that the monitors did good work in Haiti while the military were in power. But they have difficulty now in monitoring the human rights activities.

Mr. GILMAN. One other question to Mr. Brutus. We have heard a great deal of speculation about a dozen political murders in Haiti, although the OAS and U.N. monitors have not found any significant political motives.

Do you believe that these murders of prominent Haitians did have a political motive?

Mr. BRUTUS. There are a few pictures that are very clear. They are political murders and they were political opponents.

Was it the government who was involved in these murders? I do not know. It could have been possible. But what is deplorable is that the government, with the presence of a multinational force in Haiti, has been incapable of saying who these guilty parties were. I think that is very worrisome.

Mr. GILMAN. Thank you.

Thank you, Mr. Chairman.

Mr. BURTON. Thank you, Chairman Gilman.

Representative Payne.

Mr. PAYNE. Thank you very much. I am being beeped and I have to leave. But I would just like to just say that I think one of the tragedies of the whole election was that after the president being ousted for 3 years and to return and have an election in 6 months. I think that was an impossible task. But because he was robbed of 60 to 70 percent of his term, they had to have elections before his term expired. I guess he would have gone back in June, they would have had to have three or four elections before the end of the year because the term was up.

So, first of all, it is totally illogical to say that in 6 months you must have all of these deputies, senators, mayors, council, runoffs, presidential, and then have a question about whether the things worked perfectly or not. So I think that all of this criticism is actually ridiculous when we evaluate what happens.

I really will not even comment about IRI. I made that clear in Haiti when they gave their report the day before the election and at the senate hearing. I think it is biased. I think that absolute statements made like none of the recommendations were followed, that there would have been violence, that the U.S. and U.N. troops were the only reason that there was no violence. And, you know,

absolutely after absolute after absolute statements are made, I just discount the entire report.

But be that as it may, as I have indicated, I think there have been some very serious flaws in the election. We made that clear, that we thought the CEP did not do a good job. I think that the over-cumbersome bicks and BIVs and all the rest, only 400 people could be at one place. Each person had to have a multitude of election watchers.

On ballots, you had 12 and 14 candidates at one place. I do not know anywhere in the world that an election could be run in 6 months where you had a blue ballot, a brown ballot, a yellow ballot. You had to make sure you stuck the ballot in the right place. You have got 20 or 30 candidates with many people who could not even read or write, with symbols and pictures. And we have a cavalier report by IRI that all of this was unbelievably corrupt.

So, you know, maybe we need to—maybe there is a difference in culture.

I would just like to say that I would hope that we can continue to progress. I think that to abandon this project of democracy at this point would make no sense at all. I think that there were certainly flaws, as I have indicated, in the election. But I think it was much better than when I was there when the generals were in charge, when bodies were in the streets, when people were terrorized. I was there when the generals were there and after the generals left. And there is actually, in my opinion, no comparison.

I cannot see either how the IRI could say that this was the worst thing in the world, when we know it was bad, and other people who observed it from the same group, when you had the OAS and 300 members deployed. I do not know, maybe 2 months of five people is a little more than 300 members on the June 25 election, 105 OAS members on the August 13 election, 185 persons on the September 17 election, where people have indicated that there were problems. There were certainly snafus. The others were better than the first. But that we continually have a report that nothing went right, and that everything was just wrong.

I would hope, Mr. Chairman, that we could continue to have the dialog because they could not find a person who may have been responsible for some murders. We had a Federal building bombed in the heart of our country, and we have thousands and thousands of investigators, and they cannot find who the other person might be. So it is not necessarily uncommon that law enforcement people cannot specifically go and find—that does not necessarily mean that people are not trying. It means that it is not easy to find perpetrators of crimes. And we have the best in the world bar no place.

And so I just think that we ought to attempt, and I will continue to work with the Chairman, who I think had done an outstanding job, and let me commend you, Mr. Chairman, for your interest. I think we need to weed out injustices, things that are going wrong, criminal elements corrupt people.

But by the same token, I think that throwing the baby out with the bath water makes no sense. I do think that the elections were better at each stage in the process. Hopefully, they will even get better. There is no comparison between the way they were in 1990

and what happened after Aristide left, and what is happening presently.

So I just do not have any questions. I would just like to once again thank you for this very important hearing.

Mr. BURTON. Thank you, Congressman Payne.

Mr. BURTON. Mr. Brutus, you said that there have been a number of attempts on peoples' lives. You said there have been attempts at intimidation for opposition candidates, and that some even had to move out of their districts because they were afraid they would be killed. Your life was threatened as well.

It was stated by the State Department that the number of killings has gone down dramatically. Have the killings and the threats been focused more on political opposition to Mr. Aristide? Have the killings diminished in the general population rather than in the area of politics?

Mr. BRUTUS. There are murders which involve the general population, but we have also noted that there are certain murders of opposition leaders in Port-au-Prince.

Mr. BURTON. The point I wanted to make is this: when you bring in military, and you strengthen the police force, and you police areas like Port-au-Prince, random killings that take place for things like robbery and petty theft understandingly go down.

I am trying to determine whether the number of killings that have gone down have been among the general population rather than political assassinations. Are the political assassinations occurring at the same level as before the Aristide Cabinet, or have they escalated because of opposition to Lavalas and President Aristide?

Mr. BRUTUS. No, I cannot say that the political murders have remained at the same level as compared to what happened with the military.

Mr. BURTON. They are at the same level?

The INTERPRETER. No, he says he cannot say whether that is true.

Mr. BRUTUS. There is a reduction.

Mr. BURTON. OK.

Mr. BRUTUS. That is understandable because, after all, there is this strong presence of the international community. The question is: when the international community leaves, what will happen? I personally was threatened—all types of threats. I had threats before the elections, during the elections, and the last threat in fact had to do with my wife who has been working as a civil servant for 11 years, and has just been informed that she has just been fired without any kind of advance notice, although she had just been hired a few days ago.

Mr. BURTON. Ms. Harbert, you said the CEP was to validate opposition party candidates so they could be on the ballot in these legislative races. One party submitted nine candidates to the CEP, yet only two were validated to be on the ballot.

As I understand it, the CEP kept people off the ballot by technical means so they could not even be voted upon. Is that correct?

Ms. HARBERT. Let me clarify what I said. That was to name the members of the CEP itself, and President Aristide had made an agreement with the majority of the political parties that he would accept a list of candidates from them to name the nine members.

Each of the three branches of government names three of the members of the CEP.

When the nine members were named, only two of those could be found on the political parties' consensus list. So, in other words, President Aristide and the other two branches of government went ahead and named seven out of the nine members from their own list and ignored the agreement the political parties had reached with Aristide.

Mr. BURTON. So that guaranteed their control over the elective process?

Ms. HARBERT. Correct, so the political parties then did not have any representation at the highest level.

Mr. Chairman, if I may, I think I am obliged to address one of the things that Congressman Payne said.

I would like to say that Congressman Payne, myself and IRI all have the same objectives in Haiti, and that is to establish a firm foundation for a democracy to flourish there. Where we disagree is that by accepting a very flawed process, that that will ensure a better process next time.

What we think needs to happen is that the international community needs to take off its rose-colored glasses and admit that there were problems, work on a way to fix them, and give credence to the allegations by the opposition. Without an opposition any transitional democracy—democracy does not flourish.

And the actions of the Haitian government, supported by the U.S. Government, have completely ignored these allegations, and these very grave concerns, and that is not a way to build a democracy, by marginalizing the very pillars that will support it in the long term.

Mr. BURTON. You said that there was minimal electoral monitoring by the CEP. Is that correct?

Ms. HARBERT. The CEP was going to provide training for a unit that the political parties were going to set up. There was an agreement made which Ken Wollack had referred to. Unfortunately, that unit a few days before the elections never became operational.

To the credit of NDI and a few other efforts, there were party pollwatchers in place on election day because funds were provided by the private sector to do that. But the CEP itself had not put in proper plans to distribute ballots, collect ballots, any of the normal procedures for an election day, which caused the system to really fall apart.

Mr. BURTON. OK. One of the penelists mentioned there was confrontation between the CEP and political parties. What kind of confrontation was that?

Mr. WOLLACK. There were issues of confrontation that existed throughout the process in terms of grievances the parties raised; they did not feel that the electoral authorities responded.

And so although meetings did take place, they did not take place regularly, and there was a general view that the parties' grievances were not being addressed.

But I would like to make a point, Mr. Chairman. I do not think the issue in this process is that the international community is ignoring problems and real problems that existed in the process. I know certainly our organization has not turned a blind eye to those

problems, and I do not think others, including the OAS and the Administration, has turned a blind eye either, although we do not have any clients in this process.

The issue, however, I think, comes down to how one looks at those problems and corrects those problems. And I know there has been a number of people that have gone down to try to rectify the situation, to raise proposals that could form a compromise between the various sectors of society.

I think ultimately one has to raise questions about how one certifies or decertifies this election. It comes down to what is the bottom line, and how do people view this electoral process in totality. I think that is where there are major differences of opinion. And it is a very difficult process when one observes and monitors and assesses an electoral process.

We have been involved in elections around the world as monitors. We were not monitors in this process, so I cannot make final judgments about this process. But one has to take into account not only the irregularities; one has to also make a determination whether the irregularities are as a result of malfeasance or misfeasance. Did the irregularities affect one party more than other parties? Ultimately, was the will of the people expressed in this process despite those irregularities? How close was the electoral contest? All of these things have to go into final assessment of a process.

So sometimes irregularities can have a greater meaning in an electoral process when the contests are rather close, or one party or another was affected disproportionately by disenfranchisement or by irregularities. Does one look at this election and say that there were many problems, many of which should be rectified, or does one dismiss the process in its totality?

Mr. BURTON. It appears that the Lavalas party has 75 percent of the political control in most areas, and 100 percent in the senate. There is an election coming up that is supposed to be held in December, and some of you think that is going to be swept to January. Yet there are no known presidential candidates.

It seems the Lavalas party is waiting until there is a very compressed timeframe to announce the date of the election, and who their presidential candidate is; demonstrating the disorganization that the opposition parties complained about in the last election. It looks like it is a slam dunk for Lavalas, whoever they pick. I do not know how you are going to change the situation. Lavalas has control of the electoral apparatus and they have the opposition party in disarray, since they do not trust the electoral process.

So when we pull out, do you think the prospects for the survival of a real democracy in Haiti is very good? If you do not, what can we do?

Dr. Fauriol, if we extend our presence in Haiti another 6 months or 8 months, as Congressman Payne has suggested, it is going to cost at least another half a billion dollars or more, and we will be right where we started. At least it gives that appearance. So what are the prospects? Are we going to end up with another Somalia where when we leave the country will revert back to the same kind of anarchy with whoever is the strongest taking over?

Dr. FAURIOL. Mr. Chairman, one of the reasons why I briefly referred to an earlier point that was made by Congressman Goss and Congressman Payne is that they, in effect, and also Bob Pastor, framed the issue. You can either maintain some sort of international presence, or you get an extension of the mandate for six or 8 months, or you can go to Bob Pastor's comment, which is that somehow we will have to stay there for five or 10 years. My impression is that the truth is somewhere in between. That is the first point.

The second point—

Mr. BURTON. So you are saying it could be anywhere from 6 months to 5 or 10 years?

Dr. FAURIOL. That is right.

The second point, in fact—

Mr. BURTON. In order to keep stability in the country?

Dr. FAURIOL. That is right.

The second point, and this is why I mentioned it, the committee and Members of Congress and the American public have to have some serious soul searching about this issue. The fact of the matter, there is one option which is not available to you, which is a withdrawal from Haiti. Haiti is not Somalia. If nothing else, there is continuity, if you will, with the American system, geographically, socially and so forth, which through migration, the refugee issue, does not allow a complete separation from the problem.

And, third, we have spent \$3 billion, and I suspect that that clock will keep ticking for awhile, and the number will go up. What I suspect is going to happen is that you will be asked to pass judgment on some form of a lower American profile, not under the U.N. mandate, involving some other conglomeration of the international community.

That question is going to be very much shaped by the kinds of answers you get between now and March—

Mr. BURTON. Let me interrupt you.

Dr. FAURIOL [continuing]. primarily on the political issue.

Mr. BURTON. Let me interrupt you, and ask you this question. When we were in Somalia, we reduced our force, leaving our soldiers ill equipped. As a result, we ended up losing 17 young Americans who were slaughtered, including one who we saw being dragged naked through the streets of Mogadishu by Aided supporters; who, we understand, is still in control.

My concern is that if we cut back our forces, yet keep a presence in Haiti to maintain stability, do we run the same risk that we had in Somalia?

Dr. FAURIOL. I would not take the comparison with Somalia too far, Mr. Chairman. The fact of the matter is as imperfect as Haitian's political institutions are, there are at least institutions there that we can work with, which really was not the case in Somalia. So there is some encouraging aspect of the situation in Haiti.

There is a scenario, however, that can be put in a slightly different context, which is that if the presidential election goes along the lines that I think they will go, which is—and I think you are also suggesting—which is a Lavalas avalanche in political terms, and a government which becomes very political, very ideological,

and the relationship with the international community and with the United States becomes very tense.

In that context, any form of international military presence, including the U.S. presence, might run into the kinds of difficulties that I think you are thinking about in the Somalia context, particularly a violent circumstance.

In fact, in other words, we will not be welcome.

Mr. BURTON. Do any of you have any comments on this subject?

Mr. BRUTUS. We think that there has to be work done by the U.S. Congress and the Administration. We feel that the Congress has a role to play when it comes to the political situation in Haiti, in that we feel that the U.S. administration must remain vigilant and follow what is going on there. But because of the U.S. administration's involvement, it finds it difficult some time not to defend the policies followed by the government of Haiti.

And so we feel that the U.S. Congress, if it really wants to defend democracy in Haiti, and we feel that is the case, then you must somehow work with the Administration. Everyone in this is—has, I think, good will. But you need to be very vigilant so that democracy can flourish in Haiti.

Mr. BURTON. Do any of you have any other comments you would like to make before we adjourn the hearing?

Mr. BRUTUS. I would like to say that the Haitian political parties in spite of the failure of the elections in Haiti very much appreciate the work that has been done by the IRI and the National Democratic Institute in Haiti. I think it was important to say so.

Mr. BURTON. Thank you.

The NDI and IRI, how long do you folks plan to keep your operations going in Haiti?

Mr. WOLLACK. Well, we still have an office down there right now. We plan to continue working through the presidential election, and then the question is basically funding.

Mr. BURTON. OK. How about IRI?

Ms. HARBERT. IRI has an office that will remain open through the presidential elections.

Mr. BURTON. Will you be doing some of the monitoring like you did in the—

Ms. HARBERT. We will be doing an observation effort. We have received funds to do that.

Mr. BURTON. OK. Any additional information that you have you can submit for the record.

OK, thank you very much.

[Whereupon, at 1:32 p.m., the subcommittee was adjourned, to reconvene at the call of the Chair.]

APPENDIX

SUBMITTED FOR THE RECORD

Statement of Congressman Benjamin A. Gilman
by Hearing of the Subcommittee on the Western Hemisphere on Haiti
October 12, 1995

Thank you, Mr. Chairman.

The United States has spent about \$1.5 billion in Haiti in the last two years -- representing an extraordinary investment of political credibility and material resources.

Strict Congressional oversight is needed to ensure that the Clinton Administration's strategy will get the best return on that investment and withdraw our forces on schedule next February. On July 26, 1995, I wrote the Secretary of State requesting a report on U.S. expenditures in Haiti from Fiscal Year 1995 to present. We even revised our request to make it less burdensome to the Administration. Here we are -- 78 days later -- and we finally received a reply to my request on the morning of this hearing, although the expenditure data is incomplete. If the Administration hopes to build some bipartisan consensus behind its Haiti policy, it should be more conscientious about sharing essential information requested by this Committee.

Members of Congress have offered the Administration constructive advice to make the most of the prospects for a genuine, lasting democracy in Haiti. For example, in March, I sent President Clinton a report of a bipartisan delegation that travelled to Haiti. We listed a number of recommendations. Allow me to quote briefly from that report:

Building a Broad National Consensus. Haitians should be urged to join in a broad national dialogue to reach a consensus on the key problems and draft a statement of common objectives under which all sectors will be engaged in implementing economic and political reform.

Preparing for Free and Fair Elections. Every effort should be made to ensure free and fair parliamentary, municipal, and presidential elections through international support and observation and through agreement on a code of conduct among Haitians.

Jump-Starting Long-Term Economic Growth. Incentives to encourage private sector investment must be implemented in weeks, not months, to create sustainable jobs and generate economic growth that, as yet, has not occurred. Transparent, free-market economic policies (including reliable customs and ports, a transparent tariff schedule and anti-corruption measures) are just as important as incentives to business.

Strengthening Parliament as a Key Democratic Institution. A competent, adequately supported parliament is needed to institutionalize democracy and to efficiently promulgate the economic and political reforms needed to build a new Haiti.

Seven months after I offered this advice, I feel compelled to repeat that same counsel to our friends in the Administration.

Mr. Chairman. I think we can all agree on several fundamental issues:

First, in order to sustain a democracy, there must be free, fair, and trustworthy elections. Haitians from across the political spectrum have concluded that the parliamentary and municipal elections were fundamentally flawed. Frankly, it is inconceivable to me how the international community could spend hundreds of millions of dollars in Haiti and then fail to act decisively to ensure free and transparent elections in which all Haitians would have confidence. Now we must insist that President Aristide go the extra mile to ensure orderly elections in which the opposition can participate freely and with confidence.

Second, to cultivate a democracy, there must be a level playing field for a viable opposition. Some may be alarmed by seeing a new parliament that is so heavily dominated by one party. That is why we encourage President Aristide to cooperate with political leaders to form an electoral council and a cabinet in which all Haitians have a voice.

Third, to consolidate a democracy, constitutional process must be respected. That is why we cannot compromise on the need for an orderly transition to a democratically elected successor next February.

Fourth, to uphold democracy, human rights must be defended. The Haitian people have every right to expect justice in the dozens of murders of innocent persons -- some of which occurred before the restoration of democracy and some which have occurred since. The international human rights monitoring groups that are amply funded by U.S. tax dollars have, thus far, failed in their important mission. The Haitian people also have the right to demand a professional police force that does not tolerate in its ranks or among its leaders persons who violate human rights or commit other crimes.

Fifth, to sustain democracy, there must be economic growth. Without political stability and transparent "rules of the game," foreign investors will stay away from Haiti. Without privatization and free enterprise, Haiti's vast potential will never be tapped and its masses will not lift themselves up from poverty.

Sixth, you cannot prop up democracy with an open-ended presence of U.S. troops. We expect President Clinton to abide by his commitment to withdraw U.S. forces as scheduled next February.

Our country has paid a dear price in Haiti, and we all have a stake in building a stable climate on that island where Haitians can solve their own problems, democratically and peacefully.

Thank you, Mr. Chairman.

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Congress of the United States
House of Representatives
Washington, DC 20515-0914

TESTIMONY BEFORE THE HOUSE SUBCOMMITTEE
ON WESTERN HEMISPHERE AFFAIRS
PORTER J. GOSS (FL-14)

12 October 1995

MR. CHAIRMAN:

I want to begin by thanking you for allowing me to testify before your subcommittee today. As you know, I have had an ongoing interest in U.S. policy in Haiti and I genuinely appreciate the opportunity to be a part of your effort to assess the current situation in that small Caribbean nation.

It has been one year and many tax dollars since 20,000 American troops returned President Aristide to his country. Today, the Clinton White House claims Haiti as a major success. In the limited sense that they have physically returned President Aristide, they are correct. However, if the goal was -- as they suggest -- to bring democracy and stability to Haiti, the evidence suggests that victory is far from achieved. With costs for U.S. operations in Haiti projected to reach the \$3 billion mark by the end of the U.N. mission mandate, taxpayers across the U.S. are no doubt expecting this Congress to be able to tell them what has or has not been achieved. That is what this hearing is about.

It would be wrong to say that nothing has changed since the U.S. occupation and the subsequent return of President Aristide. The continued high profile presence of the U.N. mission troops in Haiti has made a difference in the lives of many Haitians. Today in the sprawling slums of Port-au-Prince, Haitians will tell you they feel safer -- free to go out at night, free from the random shooting rampages that were once a nightly event. For President Aristide, security comes in the form of a caravan of U.N. troops that travel with him in the countryside and a large installation at the National Palace. In the end, however, the pleasure of knowing that the security situation has improved is greatly diminished by the fact that foreign troops are still needed to maintain that security.

Of course, there are plenty of troubling reports to suggest that Haiti is not a safer place for all Haitians. A series of what Ambassador Colin Granderson of the OAS has publicly called "commando-style executions" has apparently targeted former members of the military, their civilian allies, and some businessmen. With more than twenty of these crimes to be investigated already, another was added last week with the assassination of former Haitian military General Henri Max

Mayard. Are these apparent crimes of vengeance linked to the Aristide government? Some say yes; others say he simply tolerates them; others say nothing can be proved. No one denies that these violent incidents still occur.

The departure of the U.N. mission in early 1996 will mean that the newly trained 5,000 member police force will be called upon to take responsibility for policing their country and providing for law and order. While the ICITAP has worked out what it believes is a good vetting process, there are some troubling indications that vetting may not have been consistent and, in some quarters, the 80 member elite officers corps summons images of Duvalier's dreaded band of Tonton Macoutes. Already there has been resistance to the new police force in the countryside and several incidents of those officers firing on citizens.

To establish the rule of law in Haiti, they will need not only the police force, but a functioning judiciary with the will to apply laws fairly to all Haitians. Unfortunately, this may be too great a task for the troubled Haitian judicial system. Today, the courts are not up to the task of processing and trying criminals caught by the new police force. In addition, judges have been criticized by Ambassador Granderson for repeatedly violating legal and constitutional guarantees against arbitrary arrest and detention -- particularly, opponents of the government. An independent and effective judiciary in Haiti is many years, and many dollars, away from being a reality.

Progress toward a permanent, independent, and effective body to govern elections and provide for orderly and democratic transition has also been disappointing. The Provisional Electoral Council responsible for running the June 25 elections proved to be non-responsive and wholly inadequate. And, after its gross mishandling of the June 25 elections, there is little left to work with. Out of the June 25 election there is nothing: no master voting list, no permanent or credible electoral council, no system for counting ballots, and no trained cadre of election officials to carry the process forward. Even if Haiti manages, with the help of the international community, to hold Presidential elections there will be nothing left for them to build on when the need for future elections arises.

The June elections are notable not only for their disarray, but for their results. These elections were really about Haitians being free to elect local candidates and a new national parliament for their country, about having opportunity to establish some of the checks and balances envisioned in the 1987 Constitution. Election chaos caused these goals to be dramatically under-achieved. Over the protests of the political parties throughout the electoral process the Clinton White House pushed the Aristide government to move the process forward -- notwithstanding the clear signals that preparations were inadequate. Under this cloud, a predominantly Lavalas parliament will take over. The parliament, meant to be the safe forum where

the disparate views of Haitians might be voiced, will not fully offer that opportunity. With the independence and effectiveness of the judiciary and the police force already in question, this Lavalas parliament is seen by many as slamming the door and driving the loyal opposition out of the political system.

The question of what will happen when it comes time for President Aristide to depart the national palace after the Presidential elections also remains open. According to the Haitian Constitution, President Aristide may not succeed himself in office and the parliament is unable to change the Constitution to allow him to do so. This seems clear cut. However, while his public statements to the media suggest he will go, his actions tell a different story. He has been deliberately "coy" in response to inquiries regarding his tenure in office while attending rallies in Haiti. A number of these rallies, where leaflets calling for him to stay are distributed, have been held, and the drumbeat for him to stay is building. At a very least, his lack of public decisiveness in these situations complicates efforts to ensure genuine presidential elections and an orderly transfer of power in February 1996. His failure to leave on schedule will call into question not only the Administration's entire rationale for the operation, but would also justify a complete Congressional review of U.S. aid to Haiti.

The political scene is only one side of the picture; the other side is the economy. Lack of economic progress is driving many Haitians to question whether or not democracy is really "better." In Cite Soleil, elections observers like myself were told that there was no reason to vote -- many Haitians there said it wasn't helping to put food on the table or a roof over their heads. And, while the numbers have been significantly smaller than last year, there are still Haitians taking to their boats. The reason they give for their flight when intercepted by the Coast Guard? They have lost hope that the Aristide prosperity miracle will reach them.

Unfortunately, the Clinton Administration's talk of "jump-starting" the Haitian economy has come face-to-face with the harsh reality that there is no Haitian economy to resuscitate. The poorest country in our hemisphere, its crisis only deepened under the strain the three year U.S. led embargo. Even after the relative calm of the past year, there are few positive signs of investment and growth.

Haitian and American businessmen alike will privately tell you they aren't ready to assume the risks associated with going "full force" into the business of making jobs in Haiti. They cite the general lack of law and order and the lack of meaningful and enforceable law to protect businesses. Repeated increases in the minimum wage, looting, unreliable power supplies, and high costs and delays in government run ports all act as a brake on economic development. And, despite the real need in Haiti for foreign investors, legal constraints in the Haitian legal system

have delayed much-needed, affordable, secured investment dollars.

Added to all of these factors is the larger question of whether or not the Aristide government has the collective will to carry through economic reform favorable to long term business development. Despite President Aristide's public support for reforms, some members of his administration are apparently engaged in a rear guard effort to halt progress on these initiatives. Rest assured American businesses will be watching closely to see what happens and holding off on the investments until they see real progress.

It is clear for anyone who is willing to look beneath the surface that there is still a long way to go in Haiti until democracy and stability are a reality. Haiti one year after the return of President Aristide and the expenditure of a few billion American tax dollars is still marked by chronic poverty, weak governmental institutions, and leadership that reflect the tradition of one man rule more than the checks and balances envisioned in the 1987 constitution.

It is time for a candid assessment by the Clinton Administration of what it has spent in Haiti and what it has achieved. The American taxpayers deserve to know where their dollars have gone; the Haitian people deserve a real chance at democracy, stability, and prosperity.

TESTIMONY OF
CONGRESSMAN DONALD M. PAYNE
PRESENTED BEFORE
THE HOUSE INTERNATIONAL RELATIONS
COMMITTEE'S
SUBCOMMITTEE ON THE
WESTERN HEMISPHERE
OCTOBER 12, 1995

ASSESSMENT OF THE CURRENT
SITUATION IN HAITI

Thank you Mr. Chairman, and please be assured you have my appreciation for scheduling this timely review of the situation in Haiti. I have long been concerned about Haiti's struggle to achieve democracy.

In this regard I have traveled there six times since the coup that denied President Aristide of the opportunity to serve his full term. In efforts to reinstate President Aristide, I made 46 public appearances varying from holding report back meeting in my district, to being arrested in front of the White House with other members of the Congressional Black Caucus.

To my knowledge Mr. Goss and I were the only congressional members to observe the June 25th elections. We all recall the June 28th heated debates on the House floor after the elections, in which we both very honestly evaluated what happened from different perspectives. I appreciate my distinguished colleague's efforts toward modification, and it is my hope that for the good of Haiti we can continue to come closer in our thinking on what will be helpful in moving the democratic process forward. Since we did observe the election from different locations, I would like to briefly state that in Cap Hatien, one of the cities I observed, the elections were carried on in an orderly process. And, for the first time in history there was a complete lack of any military presence. Instead, Haiti's newly trained police were in place and their obvious sense of discipline and decorum contributed to the overall atmosphere of order and tranquility.

It was obvious that there were administrative problems that could not be foreseen. For instance, we witnessed the frustration of voters who could not get into the polling station because the key could not be found. Those waiting in line walked miles to vote, and were not going to leave until they voted. Officials had no option, but to break the lock of the polling station so that the voting could proceed. It reminded me of my home district of Newark where once in a while a school janitor would oversleep, or similar problems would occur.

Rather than speak more fully on the June 25th elections, and in order to devote more of my testimony on later developments and needs for the future, with your permission Mr. Chairman, I request to enter into the record my July 12, 1995 Testimony to the Senate's Western Hemisphere Committee. With your permission, Mr. Chairman.

Since the June 25th elections, it became apparent that in other parts of the country there were more problems and it was necessary to replace the President of the Electoral Commission, which demonstrates the willingness of the Aristide Administration to strive for improvement. I have also joined Chairman Gilman in requesting the GAO (Government Accounting Office) to make a study of the entire election process for June 25 and on through the Presidential elections to be held by the end of the year.

However, we from another culture can not overly be critical of Haiti's first experience in democratic elections. We must take into consideration the handicaps of poor roads and communications systems, even electricity was not available in some places to count votes causing workers to take the ballots out under the street lights to be counted. I have also observed elections in Namibia, South Africa, and other countries where there was violence and killings -- yet the international community applauds those elections as successes today. Yet, there was no such violence in the Haitian elections.

Further, it is interesting to note the findings of the Organization of American States Electoral Observation Mission released on September 13th. The OAS Mission was the largest of all delegations numbering some 300 members deployed throughout the country for June 25th, and some 105 members for the August 13th complementary elections, and 185 for the September 17th run offs. Most important was the quality of the delegations, with many speaking fluent Creole and bringing the views and experiences from some 25 countries.

The OAS report dispels many accusations. For instance the report states "There was no fraud in the Haitian elections. To the best of our knowledge, they quote, no organized fraud was carried out by the CEP: neither did we identify any attempt by the CEP to favor any particular party, in relation to either the 25 June elections or the complementary elections held on 13 August 1995."

The report further concludes -- there was no significant boycott of either the August 13th complementary elections, or the September 17 runoff elections, in spite of calls for same by political party spokesperson. For the September 17th round, the OAS documents that only six out of a total of 126 candidates chose not to participate. In fact, the great majority of candidates did not follow the order of their parties and participated. Yet, the media continue reporting that a boycott occurred. Lately, Senate Republican leaders have accused the Aristide Administration of creating a one party state, and implying this is being done by death squads being run by members of the Haitian government. Let us look at the record. Human Rights Watch in their October Report that these accusations sparked by columnist Robert Novak are exaggerated, and are supported by scant details, and lack of evidence.

Human Rights Watch further points out "The human rights situation in Haiti has improved dramatically since the demise of the military government in September 1994. The restored government has not committed systematic abuses like those that occurred under military rule including: extrajudicial executions, torture, arbitrary detention, politically motivated rape, forced displacement, and the violent suppression of free expression. Groups now can meet, hold rallies, and express their views without fear.

One reflection of this change is that refugee outflow from Haiti has virtually ceased." They do list improvements still needed such as the Police having on some occasions failed to follow appropriate arrest procedures.

However, the Haitian government has taken many remedial actions to correct these situations and President Aristide has spoken out on issues of social justice, urging the population: "no to violence, yes to reconciliation."

As we look toward the coming Presidential elections it is evident that President Aristide will leave office in February. Many are concerned that no one has the popularity to continue guiding the population in their quest for democracy. With a new and unknown President taking over in February, I strongly urge the United States and the United Nations to reconsider the renewal of the mandate for the UN security force for at least six more months after the installation of the new President. This would be judicious in my judgement.

Haiti is rebuilding. Its Police are among the most educated citizens of the country. There was intense competition to enter the force and best and brightest have been recruited. But, they need time to gain experience and organizational stability. They need to continue receiving proper salaries, so they are not tempted by the bribery system of the past.

Inflation has already been halved, and a free market economy is under way, but electric power and other infrastructure improvements are needed to fuel this growth. All of this takes continued financial assistance. Now is not the time to be threatening Haiti, but to encourage them on by rewarding their accomplishments. No American business or enterprise would do less with their employees. And, no American citizen would want less for their next door neighbor.

Yesterday we held a joint session of congress to celebrate the completion of the 50 year observance of World War II. I could not help but remember how the then President of Haiti asked our President Roosevelt how his little country could help in this war for the salvation of mankind. Roosevelt replied that the U.S. had suffered a loss of rubber sources through the Japanese invasion of South East Asia. He then asked Haiti to convert its agriculture economy to the production of trees and plants that produce latex. Agreeing to this challenge, the mahogany trees and other forest plants indigenous to the island were cut down to make way for the Firestone plantations. New plants to produce latex were planted. None of this was successful, leading to destructive soil erosion. It was at this period that Haiti lost its sustainable development, and faced a bleak future as 4 % of the topsoil washes into the Caribbean each year. They made this sacrifice of us, now it would seem to me that the least we can do is to stand by them now. Thank you Mr. Chairman.

THE HONORABLE DAN BURTON
OCTOBER 12, 1995
SUBCOMMITTEE ON WESTERN
HEMISPHERE AFFAIRS

IT IS NOW OVER ONE YEAR SINCE THE RETURN OF PRESIDENT ARISTIDE TO PORT AU PRINCE AND THE DISPATCH OF 20,000 U.S. TROOPS. IN MARCH, THE U.S. HANDED OVER ITS MISSION OFFICIALLY TO THE U.N., BUT 2,000 U.S. TROOPS REMAIN, AS PART OF THE 6,000 MAN U.N. FORCE.

THE U.N. MISSION IS SCHEDULED TO BE TERMINATED AFTER PRESIDENTIAL ELECTIONS LATER THIS YEAR. THE OUTLOOK FOR HAITI IS STILL VERY MUCH UNCERTAIN. IT IS CERTAINLY FAR TOO PREMATURE TO CHARACTERIZE OUR INVOLVEMENT IN HAITI AS A SUCCESS.

THE RECENT ELECTIONS IN HAITI WERE AN UNMITIGATED DISASTER. NOT ONLY WERE THERE SERIOUS AND PERVASIVE TECHNICAL PROBLEMS PLAGUING THESE ELECTIONS, BUT THE GOVERNMENT OF HAITI REFUSED TO WORK IN GOOD FAITH WITH THE OPPOSITION PARTIES TO CORRECT THESE PROBLEMS.

THE ENTIRE POLITICAL OPPOSITION IN HAITI IS UNITED IN REJECTING THE LEGITIMACY OF THE ELECTION RESULTS. THIS SEVERELY COMPROMISES THE ENTIRE DEMOCRATIC PROCESS IN HAITI.

THE INTERNATIONAL REPUBLICAN INSTITUTE (IRI) CAME OUT JUST YESTERDAY WITH ITS REPORT ON THE ELECTIONS IN HAITI. IT IS A SCATHING INDICTMENT OF THE LACK OF COMMITMENT TO DEMOCRACY IN THAT COUNTRY. TO QUOTE DIRECTLY FROM THE REPORT: "THE ELECTIONS OF JUNE

25, 1995, PROVIDED THE CHANCE FOR HAITI TO STRENGTHEN ITS DEMOCRATIC PRACTICE AND PAVE THE ROAD TOWARD RECONCILIATION. THE HAITIAN PEOPLE SHOULD BE COMMENDED FOR THEIR ENDURANCE AND ENTHUSIASM DURING THE LABORIOUS REGISTRATION PROCESS AND THROUGH THE VOTE ITSELF. UNFORTUNATELY, AN ARBITRARY ELECTION PROCESS AND BREAKDOWN OF THE ELECTORAL SYSTEM DEPRIVED THE PEOPLE OF HAITI OF THIS OPPORTUNITY....THE PEOPLE OF HAITI HAVE ENDURED DECADES OF DICTATORSHIP AND OPPRESSION AND MOST RECENTLY THREE YEARS UNDER A MILITARY REGIME; THIS ELECTION WAS A CRITICAL JUNCTURE TO HELP ERASE THE MEMORIES OF HAITI'S AUTHORITARIAN PAST. THE PEOPLE OF HAITI DESERVE BETTER."

WE ARE ALSO EXTREMELY CONCERNED ABOUT THE CONTINUING WAVE OF POLITICAL VIOLENCE IN HAITI. POLITICAL OPPONENTS OF THE ARISTIDE GOVERNMENT ARE BEING GUNNED DOWN REGULARLY. THERE SEEMS TO BE NO ACCOUNTABILITY. THIS IS, QUITE SIMPLY, AN INTOLERABLE SITUATION.

THE UNITED STATES HAS POURED A TREMENDOUS AMOUNT OF MONEY INTO HAITI--ALL TOLD, PROBABLY OVER \$2 BILLION.

THE CONGRESS OF THE UNITED STATES CANNOT AND WILL NOT TOLERATE FURTHER EXPENDITURE OF TAXPAYER'S FUNDS TO SUPPORT A REGIME WHICH HAS REPLACED ONE DICTATORSHIP WITH ANOTHER.

THE MEMBERS OF THIS SUBCOMMITTEE, AND THE MEMBERS OF THIS CONGRESS ARE GOING TO REQUIRE ANSWERS TO TOUGH QUESTIONS ABOUT HAITI BEFORE WE CAN COUNTENANCE FURTHER SUPPORT.

STATEMENT OF

JAMES F. DOBBINS

SPECIAL HAITI COORDINATOR
DEPARTMENT OF STATE

before the

Latin American Subcommittee of the House
International Relations Committee

October 12, 1995

STATEMENT OF JAMES F. DOBBINS
SPECIAL HAITI COORDINATOR
DEPARTMENT OF STATE
BEFORE THE
LATIN AMERICAN SUBCOMMITTEE OF THE
HOUSE INTERNATIONAL RELATIONS COMMITTEE
October 12, 1995

It has been a little more than a year since US forces entered Haiti at the head of a multinational coalition, with the objective of restoring Haiti's democratically elected government, and assisting a transition to sustainable democracy.

At the height of the US military presence, shortly after that initial deployment, there were over 20,000 American military personnel in Haiti. Today there are 2,500, out of a total of 6,000 UN peacekeeping troops, and 800 UN civilian police drawn from 31 countries.

In four more months, that is to say in February 1996, the mission of this peacekeeping force will be concluded. Those troops will return home, having successfully completed a complex and challenging operation.

Completion of this operation has been keyed to two processes.

The first of these is the dismantling of Haiti's old institutions of repression, and the creation of a new professional civilian police force, along with the reform of the judiciary.

The second process is that of democratic renewal, and the constitutional transfer of power. This process involves the holding of local, municipal, parliamentary and, finally, presidential elections, so that, by the time US and other military forces leave Haiti next year, the entire Haitian governmental structure, from the lowest to the highest levels, will be renewed, based on a new exercise of democratic choice.

Both of these two processes are proceeding at a pace which should permit us to meet the timetable which the United States and the United Nations have set for this peacekeeping operation.

Last June, Haitians voted to elect 2,000 mayors, municipal and county counselors, thereby providing Haiti with the most comprehensive system of freely elected local government in its history.

Last Sunday Haiti completed the election of members of its lower and upper houses of parliament. Like the June 25 vote, Sunday's balloting was peaceful. Unlike the June 25 vote, it was more orderly, and better administered.

Later this year Haitians will go to the polls again to elect the successor to President Aristide, who will take office next February. Recently President Aristide reconfirmed "beyond a shadow of a doubt", his personal commitment to this transfer of power.

The second ongoing process to which the timing of international peacekeeping effort has been tied is, as I have said, the dismantling of Haiti's old, corrupt and repressive security institutions, and the creation of a new professional civilian police force and the reform of the judiciary. This process is also very much on schedule.

The Haitian army has been disbanded. Over half, that is to say over 3,000, of its members have been demobilized. Most of these individuals are presently completing a six-month program of vocational training. Something less than 3,000 former members of the Haitian Army remained as members of the interim police force. Several hundred of these interim police are being demobilized each month, as new classes of the Haitian National Police are fielded. This demobilization will be nearly completed by February.

By that date, the Haitian National Police will have fielded 5,000 new police officers. These young men and women have been selected in an open, apolitical, rigorous and competitive national process. They are receiving four months of intensive professional training, in a program organized by the US Department of Justice, and taught by professional law enforcement officers from France, Canada and the United States.

The process of selection for the Haitian National Police has drawn on the best Haiti has to offer. Tens of thousands of young men and women have competed for entry. In a society where less than 25% of the people are literate, the average educational level of the initial group of police cadets was two years in college. In a country where personal connections have long been the key to government employment, recruitment into this new police force has been open to the entire population, and selection has been on a competitive, merit basis.

Alongside the Police Academy, we have also assisted the Haitian Government in creating a new Judicial Academy. American and French lawyers are assisting Haitian advocates and jurists in providing instruction to Haitian judges and court administrators at this institution.

The duration of the peacekeeping operation in Haiti has not been tied to any particular level of economic performance. However, in connection with last year's restoration of

democracy, Haiti has received a large commitment of international assistance, to which the United States, incidentally, has pledged less than one-fourth of the total of \$1.2 billion for 1995 and 1996.

As a result of this assistance, and of the reforms put in place by the Haitian Government, inflation has been halved, down from an annual rate of over 40% in September 1994 to something under 20% today. Haitian currency has remained stable against the US Dollar. Economic activity which fell by 25% from 1992-94 is now increasing at the rate of over 4.5% per annum.

Needless to say, Haiti's economic renewal is at best tentative. Its democracy remains fragile, and its new security structures are inexperienced and untested.

Business interest in Haiti as a site for investment is relatively high, but many investors are awaiting the results of the current electoral cycle.

Those elections, specifically the June 25 balloting, were far from ideal. Brian Atwood, the leader of our Presidential Observer Delegation, cited in his statement of June 26 many of the problems his group encountered. I did the same in testimony two weeks later before the Senate's Subcommittee on Latin America.

As I then noted, observers found that ballot "free, fair, and fouled up". Haiti has since held three further rounds of balloting including reruns of the original vote in about one in five polling places nationwide, and a second round of voting for all undecided Parliamentary races. These three ballots were free, fair, and progressively well run.

The Haitian voters have now chosen their mayors, city and county counselors, establishing a comprehensive system of freely elected local government. They have chosen a new Parliament. Later this year they will again go to the polls to choose a new President. By February, Haiti will have completed the first democratic transition, from one freely elected government to another, in its history.

The OAS has had an Electoral Observer Mission (OAS-EOM) in Haiti for the past five months monitoring the electoral process. This Mission has fielded 572 observers who monitored some 4,670 polling stations through the several stages of this electoral process. Many of these observers are experienced electoral monitors. Many have extensive knowledge of Haiti, and many speak fluent Creole, the local language. This Mission's reporting and analysis is by far the most comprehensive and authoritative available on the Haitian electoral process.

Commenting on criticism of the role of the Haitian Provisional Electoral Council in the June 25 balloting, the OAS Observer Mission stated: "...we are satisfied that, to the best of our knowledge, no organized fraud was carried out by the CEP; neither did we identify any attempts by the CEP to favor any particular party, in relation to either the 25 June 1995 elections or the complementary elections held on 13 August 1995."

Perhaps the most widely publicized criticism of the June 25 ballot concerned the vote count in Port-au-Prince itself, that is in the Western Electoral Department, or "BED West". Asked to comment on the alleged disorganization at this location, the OAS Mission responded:

"The OAS-EOM fielded a professional team of very knowledgeable Election Observers throughout the area covered by the BED West on 25 June (election day). Every single member of the team either had extensive election observation experience and/or were specialists on the social/political infrastructure of Port-au-Prince and Haiti. Practically all the Observers were fluent creole speakers thereby enabling them to speak incisively with BIV workers amongst others with whom they interacted on election day as well as on subsequent days when the ballot count was held. All the observers were in place from early morning on 25 June to witness the opening of the BIVs and remained on duty throughout the day and on to 26 June until the BIV count had been completed and the ballot boxes had been transported to the BED West (which also housed the BEC Port-au-Prince).

"On the night of 25 June there was congregation of BIV workers who had transported their ballot boxes (some by foot over a long distance) to the premises of the BED West, without doing the count at the BIV site itself simply because there was inadequate lighting, or in some cases no lighting at all, at the BIV site. This was done mainly because there was sufficient street lighting available outside the BED West to enable the count to be completed that night itself. Therefore, what one found on the night of 25 June was a large collection of BIV workers simply trying to complete their job of counting the ballots and trying to get back to their homes after a long day without water and food. To the untrained eye it looked totally disorganized. But those with Haiti experience and the ability to speak creole (i.e. the OAS-EOM Observers) what was witnessed was a creative effort by BIV workers to finish their task as efficiently as possible under difficult conditions. To other Election Observers (from other organizations), with little or no country experience and no knowledge of creole it was an example of chaos and disorganization.

"At no time did any OAS-EOM Observer report seeing any incidents of fraud that night; perhaps a few technical problems, but no fraud. Neither over a next few days when the BED count was taking place at sites such as Lycee Firmin, did any OAS-EOM Observer witness any incident that could be termed as fraud. Yes, there were technical problems (mainly due to lack of experience and inadequate training on the part of BIV workers) but no witnessing of any fraudulent activity."

Commenting on the vote count and tabulation of results over all four rounds of the recent elections, the OAS commented:

"For each of elections held, the data on the vote count and tabulation collected by EOM observers at each stage described above corresponded in general to the results released by the electoral officials. The minor differences noted by the mission involved discrepancies of ten or fewer votes which did not affect the final results.

"Some 18 complaints, mainly regarding falsified or missing proces-verbaux, and principally from the June 25 first round, were brought to the Mission's attention, but it was noted that the complainants were given satisfaction through action taken by the CEP, such as recounts or cancellation of elections in the affected areas."

In the aftermath of the June 25 vote, the leaders of major opposition parties in Haiti decided to withdraw from the electoral process. Their party candidates, for the most part, did not. The names of all opposition candidates remained on the ballot. Nearly all opposition candidates participated actively in the rerun and second round balloting. Party poll watchers from opposition parties were present at the polling stations in large numbers. All opposition candidates who won places at the local and national level appear ready to serve.

The disappointment of opposition leaders with the June 25 balloting was understandable. Their parties did poorly, as had been generally anticipated. The process was flawed. Their complaints were in many instances legitimate. But, in the view of most international observers, their decision to withdraw from the campaign, and to seek to discredit the subsequent electoral process was not justified by the circumstances.

Between the first, and the subsequent three rounds of balloting, the US Government made repeated efforts to bring about a resolution of differences between the Haitian authorities and the main opposition leaders. In pursuit of this objective, we made a number of suggestions to improve the electoral process, and to correct flaws in the June 25 vote. In response, the Haitian authorities expressed a willingness to adopt all of our proposals as a basis for agreement with opposition leaders.

In the end suspicions on both sides proved insurmountable. Opposition party leaders were unwilling to work with the Haitian Electoral Council, even after their key initial demand, for the replacement of the President of that Electoral Council, had been met. The Haitian authorities, for their part, harbored concerns that the opposition, aware that it was likely to lose any election held in the near future, would take advantage of any role they might be granted in selecting new members to the Electoral Council in order to block completion of the election, and postpone indefinitely the seating of a new Parliament.

This mistrust was mutual -- and, in our judgment, excessive. The Haitian authorities were prepared to implement those steps which we, the UN and the OAS believed necessary to correct the failings of the June 25 vote. Opposition leaders demanded more, specifically insisting that half the Electoral Council be replaced by new individuals acceptable to the opposition. Lavalas party leaders were, in fact, prepared to discuss such arrangements. In the end, however, it proved impossible to agree on modalities for altering the membership of the Electoral Council which were broadly acceptable, and consistent with Haitian law.

Faced with a continued boycott, the Electoral Council did implement those suggestions made by us, by the UN and the OAS to correct problems in the June 25 ballot which could be carried out without the cooperation of the opposition party leadership. The result was, as I have noted, a significant improvement in the conduct of the subsequent rounds of balloting.

Much of the criticism of the first round of these elections was justified. Outside observers should be cautious, however, about holding Haiti to a higher standard than has been applied to other countries -- richer and more highly developed countries than Haiti -- which are also emerging from the darkness of tyranny into the light of democracy. The South African election of 1994, for instance, was not only far more violent than the 1995 election in Haiti, but it was reportedly even more poorly administered. Yet the results of the South African balloting were almost universally hailed as a major advance in democracy, as indeed they were.

Let me therefore conclude my discussion of the recent Haitian elections by citing the OAS Observer Mission's most recent and most comprehensive statement on the process as a whole:

"Having observed the entire process, the EOM considers that its defects were not the result of large scale organized fraud and that the voting intentions of the electorate were generally respected. Announcements of the tabulated results by the CEP generally matched data collected by EOM observers. Based on its observations, the EOM considers that the impact of flaws in the process would not have altered the final result."

The human rights situation in Haiti has improved dramatically over the past thirteen months. All types of violent crime, in fact, are way down. In March of this year, there were 101 murders in Haiti, a high figure, but not out of line for a country of Haiti's size, population, and poverty. That number has fallen steadily each month since, reaching 29 in September. This is a low figure indeed for a country of seven million desperately poor, densely packed people.

Political violence has fallen off even more sharply. Following three years of brutal repression during which rape, torture and murder were the routine instruments of governance, many had expected the restoration of Haiti's legitimate government to be followed by a wave of retribution. Thanks to the professionalism of American and international forces, and thanks particularly to President Aristide's unrelenting campaign of reconciliation, nothing of the sort has occurred. On the contrary, after three years in which up to three thousand political murders were committed, the past year has seen perhaps two dozen deaths which may have revenge, or politics as a motivation.

To recognize how the situation has improved is not to suggest that further steps are not needed to eradicate political violence from Haitian life. Haiti has a long, sad tradition of politically motivated murder and intimidation which, if not checked once and for all, could undermine its democratic renewal.

Justice and an end to impunity must, therefore, go hand in hand with reconciliation. Justice must be seen to be both effective, and impartial. We applaud, therefore, the work of the Haitian Truth Commission in looking into the crimes of the coup period. We also support Haitian efforts to investigate and bring to justice those guilty of notorious outrages of that period, such as the murders of Antoine Izmerly, Guy Malary, and Father Vincent. We have also stressed and will continue to stress the need to investigate, to prosecute, and to punish those who would still use violence to achieve political end.

In March of this year, when former de facto regime's spokesperson, Mireille Bertin, was murdered, the US Government offered, and President Aristide accepted the assistance of the FBI in investigating that crime. At the time that offer was made and accepted, Haiti had no indigenous capacity to investigate such crimes. Its Interim Police Force was drawn, in large measure, from the very institution which had been the prime source of repression under the coup regime, the Haitian Army. The court system had largely ceased to function. The prisons were in utter disrepair.

In the intervening seven months, the Government of Haiti, with our help, has come a long way in developing the capability to investigate, to try, to convict and to imprison those who would commit such crimes. New judges have been appointed.

Those already in office have received training. The court system is working, and serious cases are being tried in a professional manner. The prison system is undergoing reform. A new police force, free of all association with past abuses, is being created. More than 1400 of its officers are already in the street. Selected members of this force are receiving intensified investigative training, and are being formed into the core of a new Judicial Police, responsible for criminal investigations.

Yesterday the Government of Haiti formally established a new, special unit of those officers to deal with high profile, and especially political crimes, including those cases of the past year cited by the UN/OAS International Civilian Mission as possibly falling into that category. This unit will be separately housed, separately funded, and separately supervised. It will operate as part of the new National Police, and will report to an investigating magistrate. The Government of Haiti has asked both the UN Civilian Police and the US Government to provide trained investigators to assist and monitor the operations of this special investigative unit. United Nations Civilian Police have agreed to assist. We will do the same.

In summary, the economic, political and security situation in Haiti has dramatically improved since the deployment of US and international forces a year ago today. These improvements are continuing at a pace which should permit the current peacekeeping operation to conclude on schedule in February of next year. Haiti will then be left with a range of serious economic, political and social problems. The international community will need to remain helpful, and engaged. But a new beginning will have been made. As our troops and those of other nations depart they will leave behind a legacy of democracy restored, and hope renewed.

HAITI ONE YEAR LATER:

Achievements of Our Economic Assistance Program

TESTIMONY OF

NORMA J. PARKER

Deputy Assistant Administrator for
Latin America and the Caribbean
U.S. Agency for International Development

before the

Subcommittee on Western Hemisphere Affairs
House International Relations Committee

October 12, 1995

I. INTRODUCTION

Mr. Chairman, Members of the Committee:

As Deputy Assistant Administrator for Latin America and the Caribbean in the Agency for International Development, I welcome this opportunity to appear before the Committee and share with you the achievements of our economic assistance program in Haiti. The United States Government has invested time, energy and economic resources in restoring democracy to Haiti, and it is appropriate that after one year the Congress should want to know what has been achieved.

The answer, Mr. Chairman, is that we have achieved a great deal but the job is not yet done. With the support of the United States and our allies, the Haitian people have come much further than anyone would have predicted just one year ago. The U.S. Agency for International Development (USAID) has been proud to be an important part of that support, providing timely and practical assistance to support the democratic transition.

Achievements

As Americans, we can all take pride that we helped Haiti achieve the following:

- An army which dominated, abused and intimidated the Haitian people for nearly 200 years has been virtually eliminated.
- A cycle of revenge and retribution has been replaced by sincere efforts at reconciliation and the rule of law.
- The old military academy -- a source of power for the Cedras dictatorship -- has been transformed into a first-ever judicial training school, supporting the development of an accountable system of justice.
- A professional civilian police force, under the supervision of the Minister of Justice, has been established and is deploying across the country.
- In an atmosphere of peace and security, without fear of intimidation or reprisal, Haitians have gone to the polls four times to elect new members of parliament and local government.
- Within days, the new parliament will be seated and take up a series of economic and political reform issues that are designed to break the alliances between state power and economic monopolies and social elites, and instead lay the foundation for broad-based economic growth offering expanded opportunities for all Haitians.

- Already the government has initiated a comprehensive program of structural reforms and liberalizations to bring its policies into harmony with those of most countries in the hemisphere.
- In contrast to annual ten percent declines of GDP during 1992-94, economic growth has been restored, with GDP growth at 4.5% since the return of President Aristide. Similar growth is expected in the coming year.
- Inflation has been cut from 55% in August 1994 to approximately 24% in August 1995; and the Haitian Gourde has strengthened from about 21 to the dollar to 15.

The leadership of the United States has been instrumental in making these changes happen. They speak to the very best aspirations and values of the American people, as well as to those of the Haitian people. USAID, with its unique combination of technical skills and experienced field staff, has been proud of its role in contributing to their achievement. Our partners in the non-governmental organization community deserve great credit for the vital role they have played under extremely difficult circumstances.

The achievements, however, are still tenuous, and the foundations for an enduring and prosperous democratic order in Haiti are not yet secure. While we can be proud of all that has been accomplished, the next year will be critically important in consolidating our gains and moving from a society in perpetual crisis and grinding poverty, to one which is making slow, but steady, progress toward a better future.

Continuing Challenges

We must also candidly acknowledge that serious challenges remain.

The traditions and techniques of democracy are not immediately mastered but continue to be developed and strengthened in all branches of government. While considerable progress has been made, more work needs to be done to correct the problems in the earlier election rounds before Presidential elections late this year. It is essential that adequate support be available to ensure that this election is both orderly and fair. The judicial system and the leadership structure of the police must continue to be strengthened.

The alliance between the state, economic monopolies and a social elite will not be easily broken. Strong vested interests will continue to resist efforts to promote economic reform and create a more open, market-oriented economy that offers real prospects for broad-based economic growth. Furthermore, the GOH does not have unlimited time to build confidence that private sector led growth has taken hold and to convince working Haitians that their lives are improving. Public finances--while vastly improved--are still

weak, and public ministries need to develop far more depth.

A Year of Transition

The focus of our efforts a year ago was crisis-oriented. At that time we were coping with the needs of a society brutalized by an oppressive dictatorship and reeling under the impact of an economic embargo. Our concerns were to help feed about 1.2 million Haitians; provide basic medical care to about 2 million people; ensure the immunization of 3 million children.

Today our objective is to ensure a successful transition from an emergency humanitarian program, largely driven by short-term crises, to one which consolidates the significant changes of the past year and establishes a foundation for sustainable development. Our primary objectives are building the foundations for an enduring democratic society and expanding private sector employment and income. It is important that we stay the course and ensure the consolidation of the gain made thus far. Accordingly, our proposed \$115 million program for FY 1996 is about half of what we spent in Haiti in FY 1995.

II. BUILDING THE FOUNDATIONS FOR A DEMOCRATIC SOCIETY

Protecting Basic Human Rights

About one year ago, the press was filled with reports of appalling abuse of the Haitian people at the hands of the military dictatorship. In an effort to catalogue the dimensions of the problem, each morning embassy and USAID staff regularly made the rounds of Port-au-Prince to count the number of bodies left lying in the streets. for about one year, that has no longer been necessary. The \$1 million Human Rights Fund, established during the grimmest period of the embargo to provide support and assistance to victims and their families, was phased out in February 1995 because it was no longer required.

Establishing a New System of Justice

The rule of law has been an alien concept for much of Haiti's history. As a result, a year ago the system of justice was largely irrelevant, corrupt and ineffective. Its physical plant was in decay, and administrative structure practically nonexistent. The Ministry of Justice could not determine how many people were formally on its rolls or how they got there. Many appointed officials were not only untrained but actually illiterate, and there was no capacity to oversee or improve their performance. Police functions were largely performed by the army, in collaboration with ad hoc groups of local thugs.

From the beginning, the United States saw the need for a new system of justice as

essential to our goals in Haiti. Recognizing that it would necessarily require a long-term effort, this was one of the earliest priorities for USAID and we have created an \$18 million five-year Administration of Justice program. Our approach has been to view the different components of the justice system -- judges, prosecutors, police, prisons and infrastructure -- as part of an integrated whole demanding an integrated and balanced approach.

Judicial Training. Shortly after the arrival of the Multinational Force (MNF), USAID, working with the Haitian Ministry of Justice, other U.S. Government agencies, surveyed the needs of Haiti's justice system as a first step in developing a comprehensive program to establish an effective, transparent and responsive system of justice. Based on this survey, in January 1995 an interim training program was launched for 400 Justices of the Peace and prosecutors in the nine departmental capitals. This program was completed by the end of April 1995.

A second phase involved the establishment of a judicial training center at the site of the former military academy. This center began operations in July 1995 with a series of intensive two-week courses for an expanded pool of judges and prosecutors. This included investigative techniques, roles and responsibilities of judicial officers, case management, substantive Haitian law and interaction with the new civilian police force. Thus far over 100 judicial officers have received training at this center.

Working with the Department of Justice, we have also just finalized plans to continue to provide technical assistance for training and to provide a resource center for judges and prosecutors involved in the investigation and prosecution of serious offenses.

Judicial Supervision. The Ministry of Justice has previously had little capacity to oversee the administration of justice throughout the country. We have helped Haiti develop a judicial supervision program which has established procedures for ongoing monitoring of court operations and development of institutional capacity to track cases, supervise officers and inspect the operations of the judicial system. Assistance is also being provided to develop a competitive selection process for new ministry personnel.

Courtroom Security. During Haiti's long history of repression and intimidation, court officials frequently feared for their lives if they attempted to discharge their duties. USAID has funded a three-week courtroom security training course for 48 Haitian police officers who were recent graduates from the new Haitian Police Academy. Their training and deployment to courtrooms and prosecutors' offices in Port-au-Prince has encouraged judicial officials to resist the old patterns and pursue the vision of a new system of justice in Haiti.

Re-equipping the Ministry of Justice. Putting excess U.S. Government property to good use, Ministry of Justice offices have been reequipped, and a USAID-funded team is renovating court facilities at two sites. These renovations will serve as a prototype for

additional renovation by Canada at 14 of the 15 "First Instance" courts.

New Police for a Democratic Society. The U.S. Department of Justice's ICITAP division has established a five-year program to assist the GOH in developing a new civilian police. A police training center was opened in January 1995. Concurrently, a nationwide recruitment effort screened thousands of young Haitian men and women. The first class of 409 cadets graduated at the National Palace on June 4. To date, more than 1,400 cadets have been graduated and have deployed throughout the country, an additional 2,200 are in training in Haiti and the U.S.

Rehabilitation and Reform of the Prison System. Efforts continue to ensure an accurate processing of prisoners and an updated prison register system established by a retired Bureau of Prisons corrections officer. A Haitian legal intern program now provides legal services to indigent defendants to assure timely detention hearings. So far, 559 detainee have received assistance, of whom 85 were freed, seven were convicted, and 46 were presented at the justice of the peace level. USAID is funding a United Nations Development Program project to train prison personnel and rehabilitate some facilities over the next 18 months.

Initial Results. Some initial results can already be seen. Courts are beginning to function, probably better than they ever have. Expanded hours and longer calendars have been established, sessions held and cases heard. For the first time since 1992, jury trials for "blood crimes" (murder, aggravated assault, violent crimes resulting in bodily harm) have been resumed. Moreover, cases are being tried on the basis of modern forensic evidence -- and acquittals directed when the prosecution fails to present sufficient evidence. There are still significant difficulties but there is nonetheless noticeable improvement.

Democratically Elected Parliament and Local Government

Democratic Elections. Essential to the transition from a military dictatorship to a stable and enduring democratic order was the election of new members of parliament and local government across the country. This was an extraordinarily challenging task in a country which has no tradition of free and fair elections; no established institutional infrastructure (such as an experienced and trained electoral commission); no authoritative list of voters; and virtually physical infrastructure and no resources to draw on.

Following the creation of the Provisional Electoral Council (CEP) and the passage of an electoral law, USAID worked with the United Nations Electoral Assistance Division, and a number of private voluntary and non-governmental organizations to help meet these needs. About 3.4 million voters were registered (an estimated 91 percent of all eligible voters). Over 11,000 candidates registered for 2,000 elected offices. More than 45,000 pollworkers were recruited, trained and deployed for the first round of

elections on June 25. More than 11,000 candidates registered for the first elections and more than 45,000 poll workers were trained for both rounds. Ballots were developed for a largely illiterate population, printed and delivered throughout the country.

Although the first round of elections was largely peaceful, allowing Haitians to go to the polls without fear or intimidation, it has also been widely noted that it was marred by serious administrative problems in some parts of the country. What has been less noted is that the problems of the June 25 elections have been identified and significant progress made in addressing them. In each of the subsequent rounds of elections, the OAS -- which has had the largest, most extensive and continuous observer presence in Haiti -- has noted clear improvements. Their report on the second round of elections (held on September 17) concludes that "there was no widespread organized fraud and with respect to the training of staff, the management of the operations and the organization of voting day, the situation showed great improvement over the June 25 elections." Simply put, despite some initial stumbling, Haiti has made clear and steady progress toward the time when free and fair elections will be the norm instead of an exception.

Support for Responsive Governance.

Almost immediately after the arrival of the MNF troops in Haiti, USAID's Office of Transition Initiatives funded community-level development projects which were designed both to foster community empowerment and to address immediate development needs. Since October, 1,800 projects have been completed or are underway. These include renovation and repair of roads, school, bridges, health centers, and electrical and water systems. Two thousand projects will have been accomplished by March 31, 1996.

USAID is also poised to repair the parliament building, provide computers and a legal reference library and conduct training for the new parliament when it is seated in mid-October. Training in local government and civic education has been conducted in 25 out of 134 communes nationwide.

Demobilization and Reintegration of Ex-Military

President Aristide has concluded that the army -- long an instrument of repression -- should be disbanded. Successfully demobilizing the Haitian military (an estimated force of 4,000 to 7,000 during the Cedras regime) was a key requirement for a peaceful transition from the dictatorship. USAID initiated a six-month vocational training and reintegration program that has registered 3,064 former soldiers. Of these, 2,681 have entered training and 325 have graduated. This training has been conducted at 21 sites offering ten technical specialties: auto-mechanics, plumbing, carpentry, electrical work, computer skills, spare part manufacturing, welding electronics, refrigeration, and masonry. Of the graduates, 185 have attended post-training occupational search seminars.

Of the 3,500 members of the interim police security force (IPSF), 463 registered for reintegration and 413 are now in training at five sites. By March, 2,700 IPSF members will have been demobilized.

III. INCREASING PRIVATE SECTOR EMPLOYMENT AND INCOME

The return of President Aristide in October 1994 was viewed with considerable apprehension by many in the private sector, some of whom directly financed and supported the military dictatorship. They anticipated government policies that would be hostile to the development of the private sector, possibly seeking retribution for past actions.

Instead they encountered a government genuinely interested in reaching out to the private sector and labor, and in fostering a vigorous private sector offering expanded economic opportunity for all Haitians. Shortly after his return, President Aristide created a Tripartite Commission (consisting of representatives of labor, management and the government) and a Presidential Commission (consisting of representatives of the private sector and government) to identify and examine key policy issues and options.

These bodies are significant because they point to a genuine effort to bring different perspectives to the table and create a common ground for dialogue on the right policies for Haiti's future. The performance has been somewhat uneven perhaps, but there is no doubt that an open and vigorous debate now takes place where previously there was only force and repression.

Labor Relations

USAID is providing technical assistance to establish the Tripartite Commission's internal organizational structure, functional goals and action agenda. Future work may be undertaken to audit the state-run pension and workers' compensation programs to improve their effectiveness.

Removing Obstacles to Trade

USAID support to the Presidential Commission has opened a public/private sector debate on economic reform issues leading to key policy changes necessary to encourage the development of the private sector. These measures include the elimination of a 40 percent export surrender requirement, the elimination of all remaining import restrictions, the unification of bank reserve requirements, the elimination of all ceilings on interest rates, and the implementation of broad-based reform of the customs system.

Privatization

Not all these reforms have proved popular. Proposals for privatization of nine parastatals has attracted considerable criticism recently and could become a difficult point of negotiation with the IMF and World Bank. Despite this controversy, the US believes that this is an important part of Haiti's economic and political reform program.

USAID gave a \$2 million grant to the IFC to carry out analyses of the privatization of 9 major parastatals for the GOH. The diagnostic studies and options are completed and in the hands of the government. Bids have been requested for the flour mill and cement plant, and it is expected that the seaport and airport in Port-au-Prince will be put under private management contract within the next few months.

Extending Credit to Small Businesses

The \$2 million agribusiness guarantee fund established to help restore agricultural production and processing will have a positive impact on large numbers of Haiti's 650,000 farm families. In the past twelve months, Haiti has exported a record \$15 million in mangoes.

USAID's small and microenterprise credit program through the Haitian Development Foundation estimates that 825 loans were made in the last year, generating approximately 800 jobs and saving 1,300 more.

Other Initiatives

In March 1995, OPIC signed an accord with the Bank of Boston for a US \$65 million on-lending facility. This program extends the range of OPIC-guaranteed loans from \$100,000 to \$10 million to U.S. and Haitian investors. To date Bank of Boston has approved, but not yet disbursed, 16 loan applications totaling \$14.1 million.

The U.S. Commerce Department has organized five trade missions in bilateral trade, telecommunications, agribusiness, light industry, and handicrafts.

The Embassy has spearheaded efforts to negotiate a tax information exchange agreement (TIEA), which would give Haiti access to some \$345 million in Section 936 funds invested in the Caribbean Basin in 1994. Conclusion of this agreement is awaiting a GOH response on the issue of bearer shares.

Infrastructure Development

Power. Prior to the arrival of the Multinational Force, Port-au-Prince was in darkness with at most 2 or 3 hours of electricity per day. Three weeks after the arrival of U.S. forces, under "Operation Lightswitch", fuel was purchased to run thermal

generator sets for three months. U.S. Army technicians made repairs, and the lights were put back on September 25, 1994. Since that time, further repairs have been made, new generating units brought on line, management improvements initiated and privatization options prepared for the GOH. With power now on 20-22 hours a day, lights are now a regular feature of daily life in Port-au-Prince and the provinces.

Potable Water. The U.S. Army inspected the potable water pumping stations north of Port-au-Prince and identified the ones which needed to be repaired. They donated and installed two of the pumps which increased the volume of potable water available to the population.

Exercise Fairwinds. The U.S. Army is continuing its support under a training program called "Exercise Fairwinds". Projects being implemented by the RED HORSE Unit include repair or rehabilitation of: the University Hospital; six National Schools; Boulevard Harry Truman; the entire Delmas road; and two potable water pumps.

IV. PROVIDING HUMANITARIAN ASSISTANCE

Throughout the coup and the period after the return of legitimate government, USAID carried out an extensive humanitarian program. As Haiti regains normalcy, these programs will be phased out as we make the transition to a longer-term sustainable development program at lower levels of funding.

Food Aid

Until last May, the Title II food program continued to reach more than a million beneficiaries per day. As we move from crisis to recovery, food aid is gradually being re-directed to support development efforts in innovative strategies, productive infrastructure and maternal and child health.

Basic Health Services

During the past year, USAID financed health and child survival programs which covered a target population of about two million people, approximately one-third of Haiti's population. A child in a target region is two to three times or more likely to be fully immunized than in the country as a whole. These children also receive better and more effective treatment for diarrheal disease and respiratory infections through the use of oral rehydration solution and better case management.

Shortly after President Aristide returned, USAID assisted with a nationwide child immunization program. Within a few months, that program had reached more than 90 percent of its target, with about three million children immunized against basic childhood diseases.

Short-term Jobs

To help militate against the worst effects of the embargo, USAID worked with an international PVO to hire approximately 150,000 people for temporary jobs. The two-year program peaked at 60,000 people working per day in July with total person months reaching 450,000 at that time. Since September of last year, approximately 270,000 person-months of employment have been created. These jobs have rehabilitated large levels of productive infrastructure, repairing 1,200 kilometers of rural roads and 3,000 kilometers of irrigation canals, planting 800,000 trees, and returning 110,000 acres of crop land to production. This program has been successfully handed off to the World Bank, as planned.

Agriculture

USAID provides support to small farmers to increase their income through expansion of fruit tree cultivation, improved farming systems practices, intensive vegetable gardening and marketing systems. Since the beginning of this project in 1990, a total of 42,000 farm families, representing 270,000 rural beneficiaries have been reached with sustainable farming practices, improved seed varieties and alternative marketing opportunities.

Environment

Unchecked environmental degradation is undermining Haiti's economic recovery and long-term development, along with the food security and health of the country's population. Haiti's environmental crisis is evidenced by extensive deforestation; accelerated soil erosion with resultant depletion of agricultural productivity; loss of life and property damage through flooding and landslides; contaminated water supplies; inadequately managed urban and industrial wastes; deterioration of productive infrastructures (roads, bridges, dams); reduction in the availability of irrigation water; and significant degradation of terrestrial, coastal and marine ecosystems.

USAID has been a lead agency in protecting the environment, providing approximately \$8 million per year. Since the return of President Aristide, USAID has been working with the Government of Haiti and other donors to develop a long-term National Environmental Plan. This will be the framework within which other donors programs are organized, priorities established and coordination achieved.

Past and ongoing USAID programs in soil and water conservation, tree-crop agriculture (agroforestry), tree planting, watershed management, and ecosystem protection have been widely acclaimed for their innovativeness, success and potential for replicability. These programs respond to income and food needs of the population, while helping to ensure sound natural resources utilization. A small pilot program in urban household waste management has also been initiated.

Education

At present, there is virtually no public education system in Haiti. Most of the children are educated in private schools of highly variable quality, and the Ministry of Education has little capacity to oversee, monitor or improve the quality and accessibility of education.

During the past year, USAID has been working with the Ministry of Education and other donors, as well as private schools and local organizations, to develop a political consensus on a national education strategy. This process is now reaching its conclusion and the product will help establish common objectives and priorities, as well as coordinate international assistance and GOH programs.

Disaster Planning

USAID has played a pivotal role in establishing a more dynamic disaster planning capability function in the GOH. With the aid of the U.S. military and UNMIH, a USAID manual on planning for the hurricane season was compiled, translated and distributed to the Prime Minister and his inter-ministerial disaster commission. Unlike last year when tropical storm Gordon caught the GOH off guard, USAID started early to lay the groundwork for a better GOH hurricane response.

V. ASSISTANCE FROM INTERNATIONAL DONORS

Our friends and allies have played an extremely important role in supporting the establishment of democratic governance and expanded economic opportunity in Haiti. The United States is not "going it alone". In January 1995, the donor community pledged a total of about \$1.2 billion for Haiti over 18 months. Subsequent pledges have increased this total to nearly \$1.8 billion over three years (1995-97). The U.S. contribution represents less than one quarter of the total. Of this total amount, about \$650 million was expected to be disbursed by the end of 1996. As of late July, about \$380 million (or 60 percent) had already been disbursed.

VI. CONCLUSION

Mr. Chairman, we have accomplished a tremendous amount already, but the job is not yet finished. Long-term success in Haiti is contingent on active leadership by the United States in partnership with our many allies and the Haitians themselves. We have now concluded the transition from crisis to recovery. Sustained engagement by the United States remains essential to turn recovery into sustainable economic growth and democratic development.

Prepared Statement of

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"The Status of Haiti's Democratic Transition"

Subcommittee on Western Hemisphere Affairs
Committee on International Relations
U.S. House of Representatives
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Mr. Chairman, I appreciate the invitation to testify before your Subcommittee on the important developments that have occurred in Haiti since President Jean-Bertrand Aristide was restored to power last year. As Executive Secretary of the Council of Freely-Elected Heads of Government, based at the Carter Center, where I am a Fellow, I have been working on the electoral process in Haiti since 1987. Working with the National Democratic Institute for International Affairs, I helped organize a major election mediation and observation mission to Haiti for the December 1990 election.

President Aristide invited former President and Mrs. Carter and myself to his inauguration in February 1991, and I worked closely with him when he was in exile to help him return to power. I advised the Carter-Nunn-Powell delegation that ensured the peaceful restoration of constitutional government last year, and returned to Haiti, three times since then - with former Prime Minister Michael Manley in December 1994; with former President Carter, Senator Sam Nunn, General Colin Powell, and former Belize Prime Minister George Price in February 1995; and by myself, to observe the June 25th elections. We have written reports on each of these missions, and would be happy to provide them to members of the Committee upon request.

In this statement, let me first describe my involvement in Haiti and the background to President Aristide's election in December 1990, the coup against him in September 1991, and his return to power on October 15, 1994. Then, I will evaluate developments since then. Finally, I will focus my analysis on the electoral process in Haiti and offer some recommendations for U.S. policy toward Haiti.

Background

In November 1986, former Presidents Jimmy Carter and Gerald Ford co-chaired a Conference at the Carter Center on "Reinforcing Democracy in the Americas." At the meeting, 12 former and current Presidents and Prime Ministers of the Americas discussed papers prepared by the foremost authorities on democracy - its definition, its successes, and its failures - and what could be done to improve its prospects. After the meeting, the 12 leaders met privately to

talk about what they could do to reinforce democracy, and they decided to establish a Council of Freely-Elected Heads of Government. The group asked former President Carter to chair the Council and me to act as Executive Secretary. The Council chose to concentrate its efforts on elections. We recognize that one free election does not constitute a democracy, but we also believe that democracy cannot develop without free elections.

One of the first cases that was brought to our attention was in Haiti. Jean-Claude Duvalier - "Baby Doc" - ruled Haiti from his father's death in 1971 until he fled into exile on February 7, 1986. For the next five years, the military held power; they repeatedly promised elections, but did not permit them to occur or be fair until December 1990. In October 1987, a number of Haitian leaders asked the Council to send a delegation after the assassination of Yves Volle, a presidential candidate. We helped put the electoral process back on track, but the next month, the military aborted the election by a slaughter of innocent voters.

The next moment that free elections became possible was the summer of 1990. The Provisional President Ertha Pascal-Trouillot invited the international community to observe and, indirectly, to help construct the electoral process, and the new commander-in-chief, General Herard Abraham seemed committed to a free election. The UN and the OAS advised the Provisional Elections Council (CEP) and did a quick count (a random sample of results) that permitted a reliable prediction of the final results of the Presidential election. In addition, former President Jimmy Carter as Chairman of the Council of Freely-Elected Heads of Government, was invited, and we worked closely with the National Democratic Institute for International Affairs to mediate between the political parties, the CEP, and the government for five months.

One "mediates" an electoral process by listening to the opposition parties, distilling their complaints, and helping the government and the CEP fashion fair responses. This process increases confidence in the electoral process so that all the candidates and parties feel a sense of ownership in the election and are prepared to accept the results even if they lost. In addition, two incumbent members of the Council, Venezuelan President Carlos Andres Perez and Jamaican Prime Minister Michael Manley, persuaded the United Nations to send security observers to monitor the elections and prevent a recurrence of the violence that had aborted the election in November 1987.

The Bush Administration supported these efforts, but, correctly, kept some distance from the mediation. The proud, nationalistic Haitians preferred to negotiate the rules of the election with international and non-governmental organizations than with the U.S. government.

On December 16, 1990, Haitians voted for 11 Presidential candidates, but Jean-Bertrand Aristide, a young priest, won two-thirds of the vote. Because of the effective mediation during the campaign, all of the political parties immediately accepted the results. Jean Casimir, who was the Executive Secretary of the Provisional Elections Council (CEP) in 1990 and currently Haiti's Ambassador to the United States, acknowledged: "Without electoral observation, it would have been totally impossible for Haiti to rid itself of its dictators and their Armed Forces."

Aristide was hardly a typical politician, anymore than Haiti's politics were classically democratic. Aristide was connected to the people by a spiritual, charismatic bond, and this was evident during his inauguration on February 7, 1991 as the people chanted passionately: "Thank you God, for sending Titi [Aristide]."

The election turned the Haitian power pyramid upside down. The vast majority of Haitians are poor, and for the first time, they had their champion in the Presidential Palace. The elite found themselves on the outside, fearful that the masses might treat them as they had treated the people.

It was a delicate transition, and it did not last. Barely seven months after his inauguration, the military overthrew Aristide with the consent of the oligarchy and perhaps at their invitation. When he later reflected on what had gone wrong, Aristide acknowledged that perhaps he had won the election by too much. He had little incentive to compromise, and he showed too little respect for the independence of the Parliament. One of his mistakes was replacing the commander-in-chief of the Army, General Herard Abraham with General Raoul Cedras. Abraham, a skillful political actor, had secured the election and stopped a military coup led by Duvalierist Roger LaFontant in January 1991.

In exile, Aristide tried to marshal international support for his return. The international community was eager to help. During the previous 15 years, a democratic wave had swept through the hemisphere. At the OAS General Assembly met in Santiago, Chile in June 1991, the Foreign Ministers approved the "Santiago Commitment on Democracy" and Resolution 1080 pledging that if a coup occurred in the Americas, they would meet in emergency session to decide on action to help restore it.

Three months later, Haiti provided the first test case of the resolution. Within days of the coup, the OAS Foreign Ministers met in Washington, condemned the coup, and sent a delegation to Haiti to demand the return of Aristide. The military humiliated the group, and the OAS responded by imposing an economic embargo.

The Bush Administration supported the goal of restoring President Aristide to power, but the repatriation of refugees reduced the pressure on the Administration to use the means

necessary to accomplish that goal. President Clinton committed himself to President Aristide to restore him to power, but making good on that promise proved difficult. The Haitian military and the elite did not want Aristide to return, and no diplomatic effort would succeed unless backed by a credible threat of force.

In July 1994, led by the Clinton Administration, the U.N. Security Council passed a resolution calling on member states to use force to compel the Haitian military to accept Aristide's return. This was a watershed event in international relations - the first time that the U.N. Security Council had authorized the use of force for the purpose of restoring democracy to a member state. In some ways, that resolution and the subsequent decision by President Clinton to take the lead in an invasion were as important decisions for the future of democracy as the Persian Gulf war was for defending the sovereignty of a U.N. member.

Armed with the U.N. Resolution and President Clinton's commitment to use force, former U.S. President Jimmy Carter, Senator Sam Nunn, and General Colin Powell succeeded in reaching an agreement with the Haitian military high command that permitted the peaceful entry of U.S. forces in Haiti and the return of President Aristide on October 15, 1994.

I was privileged to advise the Carter-Nunn-Powell team, and it is hard for me to conceive of a more spectacular negotiating team representing our country. It is very important to understand, however, why that negotiation succeeded lest we draw the wrong lesson from it. In my judgment, the mission succeeded because the three negotiators brought both credibility and respect to the negotiating table. They understood how to deliver a tough message that an invasion was imminent but in a respectful manner that elicited agreement rather than defiance. The fact that all three had reservations about the invasion but told the Generals that they would support it once it began made them even more persuasive. The threat of force was effective in gaining agreement, but the report of the actual movement of troops was counterproductive. Although ready to sign the agreement, General Cedras and the High Command would not do so after learning the attack was in progress. Fortunately, the de facto President Emile Jonaissant decided to sign it, and with General Powell pressing very hard, General Cedras agreed to implement the agreement.

Aristide's Second Chance: An Evaluation

On October 15th, Aristide returned to Haiti and the Presidency. He had a second chance, and he showed that he had learned some lessons. He called for national reconciliation and assembled a multi-party government. He appointed a well-respected economist, Leslie Delatour, as President of the Central Bank, and proposed an economic program that elicited both praise from the international community and pledges of \$1.2 billion. He set up a

Truth Commission to investigate human rights violations during the military regime but urged it not to act in a vindictive way.

A Police Academy was established to train a new, professional police force. A project on the administration of justice aimed to train justices of the peace and dispatch them throughout the country. Aristide reduced the size and influence of the armed forces. Meeting little resistance and encouraged by former Costa Rican President Oscar Arias, Aristide took steps to dismantle the entire institution.

In December 1994, Aristide appointed a Provisional Elections Council (CEP) to begin preparations for municipal and parliamentary elections, eventually scheduled for June 25th. Reruns of elections that had been cancelled or not completed were held on August 13 and run-offs on September 17th. The elections had serious problems, and I will address some of them below.

In the economic program and in the areas of security, police training, human rights, there has been real progress in just one year, but not as much progress as many in Haiti and in the United States had hoped.

-- Besides providing emergency food assistance, the Haitian government's priorities for economic development seem to have been: (1) developing a plan that would attract international support and offer the best chance for sustainable development; (2) clearing Haiti's arrears to the international development banks so as to permit the country to make new loans for development; (3) enhancing the absorptive capacity - i.e., the technical and administrative expertise - necessary for implementing development projects; (4) establishing a stable macro-economic foundation to resist inflation; (5) reducing trade barriers and the power of the monopolies; and (6) privatizing the inefficient state corporations, especially the utilities and the telephone company.

These are the correct priorities. If the government achieves these goals, then Haiti will be on the best road to development that will meet the needs of all of its people. Unfortunately, these priorities do not translate into jobs or visible development in the short-term, and to compensate for that, AID has supported a number of employment-generating projects, including road-building, but there are few results to be seen for the large amount of money that has been pledged.

Regrettably, President Aristide has not fully explained to the Haitian people how these priorities will relate to the future development of the country. The lack of Presidential support has encouraged a climate of scapegoating that could undermine these very objectives. For example, the controversy on privatization seems related to old ideological preconceptions but also to legitimate concerns of loss of control and jobs. President

Aristide needs to explain to the people why the old ideology is not applicable to a modern Haiti and why he will take special precautions to ensure that the legitimate concerns with jobs and control will be addressed by his privatization program.

-- In the area of human rights and security, there has been progress in building a police force and establishing a Truth Commission, but there have also been political assassinations, and the investigations have been inadequate. The U.S. Congress is right to be concerned about the failure to bring the murderers to justice, but it is also important to keep those crimes in a broader perspective and to recognize that to most Haitians, the past year has been the most secure they have had in their nation's history.

The Elections and the Political Landscape

Let me now focus on the issue of elections because that is the one area that the Council/Carter Center has most experience and has concentrated most of its attention in the past. In December 1994, former Jamaican Prime Minister Michael Manley, a Council member, and I visited Haiti to explore whether a Council effort would be welcome and to assess the political and economic situation. Both President Aristide and leaders of political parties encouraged the Council, of which President Aristide is a member, to play a role and for President Carter to visit.

At the time, the process for selecting a Provisional Elections Council (CEP) had been delayed, and through discussions with all sides, Manley and I tried to expedite a decision. On our departure, President Aristide did name the Chairman and Council members, although regrettably, his choices did not reflect the kind of consensual candidates that would have enhanced the confidence of the opposition parties in the electoral process.

To build international support for Aristide's program, I organized a mission in late February that included former President Carter, Senator Nunn, General Powell, and George Price. President Aristide and leaders of the political parties were effusive in their praise for the group and their hope that they would play a continuing role, but the obscene graffiti painted on the walls the night before the arrival of the group, urging Carter in scurrilous phrases to stay out of Haiti, put a damper on the trip, particularly because some anonymous "Presidential aides" told the press that those views reflected the government's.

Let me clarify one misimpression that has been repeated in the newspapers about one part of the meeting with Aristide. In December, President Aristide volunteered to Prime Minister Manley and me that he intended to act as a "referee" and stay above the electoral process because many of the groups that supported him were competing for power and because he thought that would be the best way to reinforce the democratic process. Three months later,

he made the same point in his conversation with President Carter. Some of Aristide's assistants told the international press that Carter had insisted that Aristide play the role of "referee." This was inaccurate; none of us asked, urged, or insisted that Aristide play or not play any role in the elections. Perhaps, some of Aristide's assistants leaked the erroneous report to the press in the hope they could turn the issue into a nationalistic one, compelling Aristide to stand up to international pressure and endorse one faction - the Lavalas Party. That strategy succeeded.

Whether the negative comments by anonymous "Presidential aides" about the Carter mission in February did or did not reflect President Aristide's view, the Council decided not to play an active role nor to send a delegation to the June 25th Parliamentary election. Nonetheless, because of the Council's long-term concern for Haiti, I was asked by several Council members to observe the election first-hand and provide a report on what I had seen.

What I witnessed was very discouraging. I discussed my observations and recommendations with President Aristide, the U.S. government, and the OAS and UN. I decided to make the report public only when I realized that my principal recommendation - for a mediated agreement on electoral reform between the opposition parties and the government - was being ignored in favor of moving forward with the electoral process despite the boycott.

In my conversations with party leaders in June 1995, I found that virtually all of the political parties, including KONAKOM, PANPRA, and the FNCD, which had been partners of Aristide in the 1990 election, were critical of the CEP for being partial to one faction of the President's supporters, Lavalas, and for being completely unresponsive to their complaints. Not only were the mistakes of the 1990 election not corrected, but worse, the lessons of the success of that election were not learned. There was no mediation between the parties and the CEP and no quick count.

As a result, three political parties boycotted the June 25th election, and many of the 27 parties that participated were skeptical that the CEP would conduct a fair election. In the end, virtually none of the parties, except Lavalas, accepted the results. In the face of this reaction by the parties, the silence of the OAS and the UN, and the celebration of the election by the U.S. government as a "milestone" toward democracy just diminished the credibility of all three in the eyes of the opposition.

My report goes into detail both with regard to what went wrong and what went right. Let me just summarize some of the points here. Because of repeated delays in registering voters and approving candidates, the campaign was compressed, and the public did not know the issues, parties, or candidates. While there were some violent incidents, by and large, this was the most secure election in the country's history. The presence of a U.N. military

mission and the absence of a Haitian army were the twin reasons. The many party poll-watchers were an encouraging sign of the beginning of a civil society.

Most elections' officials seemed dedicated, but there were serious problems. The ballots omitted names of some candidates or used the wrong or no logo, and this led to violence in some areas. Many people did not know their voting sites, and some voted although they were not on the registration list. But the most serious problem, by far, occurred after the voting stopped, and the counting began. The officials were poorly trained, and I witnessed the most insecure and tainted vote count that I have seen in the course of monitoring 13 "transitional" elections during the last decade. Instead of completing the count in their voting sites, people brought open ballot boxes to the district or national headquarters, where they could be seen putting ballots in and taking them out.

The irregularities were so numerous that even before the results were announced, almost all of the political parties, except Lavalas, called for an annulment and the recall of the CEP members. On July 12, the CEP finally released some of the results that showed Lavalas candidates winning the most votes, with the FNCD and KONAKOM trailing behind. Perhaps as many as one-fifth of the elections needed to be held again, and the majority of the Senate and Deputy seats required a run-off. Of the 84 main mayoral elections, Lavalas won 64, including Port-au-Prince, by a margin of 45-18% over incumbent Mayor Evans Paul.

The election had a salutary effect in consigning numerous parties, representing only their leaders, to political oblivion and in promoting unity among the top three opposition parties, FNCD, KONAKOM, and PAMPRA. These parties proposed a set of reforms to increase the credibility of the election. President Aristide replaced the leader of the CEP, but instead of choosing someone suggested by the opposition or acceptable to them, he selected a person who was perceived as more partial to Lavalas than the one he replaced, thus increasing their suspicion of the process.

After the publication of my report, the U.S. government tried to mediate, but it failed. The CEP went ahead with the re-run of some elections on August 13 and the runoff of other elections on September 17 despite the boycott of virtually all the political parties. Again, there was practically no campaign, and despite great efforts by President Aristide to get people to vote, the turnout was very low.

Therefore, the Parliamentary and municipal elections cannot be viewed as a step forward. Moreover, the government hurt the fragile party system by seducing opposition candidates to participate in the runoff contrary to their parties' decision. Partly because of the opposition boycott, and partly because of

Aristide's continued popularity, Lavalas swept the September 17 runoff elections, giving it 80% of the Deputies and two-thirds of the Senate seats.

The opposition parties condemned the Parliament as illegitimate, and many feared that Haiti was moving to a one-party state. In my view, Lavalas could prove as fractious as the original Aristide coalition, but whether that occurs or not, an opportunity for a more inclusive democracy and an impartial electoral process was lost.

Prospects for Democratization

In a country at such a low level of economic development and such a high rate of illiteracy, it is not untoward to ask whether democracy is possible. It is no coincidence that consolidated democracies are found in developed countries. **Conducting a free and fair election is a complicated administrative exercise and one that requires a minimum level of trust among rivals.** Haiti's administrative capacity is so low that it could not conduct an election in 1990 and 1995 without considerable help from the international community. Even then, both elections sustained a high level of technical irregularities. These technical problems won't be eliminated until Haiti's level of development is raised, and the country has more elections, but they could be reduced over time if Haitian election officials remained in their jobs and learned from their mistakes.

Why did the election in 1990 succeed, and the elections from June through September 1995 fail? The level of technical irregularities was roughly comparable. The differences were due to one technique of election-monitoring - the quick count - and two political factors. In 1990, the incumbent was apolitical. In 1995, the popular incumbent endorsed one party, which also happened to have control over the election machinery. President Aristide had every right to endorse a party and candidates, but it would have helped the process if that party was insulated from the CEP instead of in charge of it. The second significant difference was that in 1990, trusted interlocutors mediated between Haitian political leaders, the CEP, and the government, and in 1995, such interlocutors were not welcomed by the government or the CEP. Therefore, the opposition parties had less confidence in the impartiality of the electoral process.

One reason that the U.S. government's mediation in the post-election period failed was that the United States is too powerful in a sensitive country on the most intimate set of issues - elections. The mediator should not be a government official, but should be someone trusted by all parties with experience in observing elections.

Some people have argued that the opposition parties boycotted the re-run and runoff elections only because they knew they would lose. While this might be true of some of the parties, it is not true of all of them, and more significantly, their complaints about the electoral process are just and correct, and the process needs to be corrected. Moreover, the opposition parties proposed reforms, which are needed to improve the electoral process.

In my judgment, there is nothing more important for the sustainability of Haiti's democracy than effective mediation among the political parties, the government, and the CEP before the Presidential elections. It would be ideal if President Aristide took the initiative and implemented the electoral reforms proposed by the opposition parties. If he just asked them to propose 20 candidates for the CEP, and he chose from that list, the parties would be hard pressed to contest the result of the next election over which the new CEP had responsibility. Given his popularity, it is difficult to understand why he won't do that.

Alternatively, there are any number of variations on the electoral reforms that could serve to bridge the differences between the opposition and Lavalas and perhaps elevate the confidence of all the people in the electoral process. A trusted mediator could help do that.

If a new agreement is not reached, and if the parties continue to boycott the electoral process, then the new President's authority will be impugned, especially if the Constitution is changed illegally to allow the incumbent to run again.

Why is this such a serious problem? The current situation in Haiti has an artificial quality due to the presence of U.N. forces. The old power elite is waiting for the U.N. to depart, which is scheduled shortly after the inauguration of the new President on February 7, 1996. The new police will be the only organized force in the country at that time, and this institution has had such little experience that it could be captured by either the new government or the old elite. Already, both sides are maneuvering to coopt the police. The struggle will accelerate if and when the U.N. departs, particularly if the new President's legitimacy is already questioned in Haiti and by the international community.

The new President of Haiti must be chosen by a process that will be acceptable to all the political parties. Just as occurred in 1990. Anything less will leave the new leader vulnerable. That is why a successful mediation is so essential, and that is why the United States and the international community must reconsider the timetable for the departure of U.N. forces. February 1996 is simply too soon. The only way that democracy can be preserved in Haiti is if the new police force remains professional and accountable to the rule of law. That can only happen if it undergoes a longer training period under international supervision.

The international community and Haiti formed a remarkable partnership in the summer of 1990 to reinforce the democratic process and to respond positively, for the first time, to Haiti's double challenge - to respect Haitians and to make the country a part of a democratic hemisphere. The path has been a winding one, but if one looks backwards for a comparison, then Haiti has stepped out of its past and is moving forward, albeit in an awkward way.

Returning to Haiti with former President Carter and General Powell in February 1995, Senator Nunn said: "We have a one-year plan for a 10-year challenge." Haiti's democratic experiment would be endangered if it did not ask the U.S. and the U.N. to remain after February 1996, and if the U.S. and UN did not agree to stay.

To keep the process on track, the Haitian government needs to respond fully to the legitimate concerns with the electoral process raised by the opposition parties. Only then can meaningful Presidential elections occur. The second step is for the international community to pledge its continued support for ensuring that a multi-party democracy takes root in Haiti.

President Clinton was right to put the full force of the United States behind efforts to restore President Aristide to power. He was right to invest in democracy in Haiti. Our nation would make a huge mistake if we abandoned the project because of a few setbacks or because the Haitian government won't accept all of our concerns. Haitians are proud of their country and do not like being told what to do by Americans. We can understand and appreciate their sensitivity.

Still, we have forged a partnership with Haiti, and we have a responsibility to make our views known to them on the crucial issues of democracy, security, and development. Given their sensitivity, however, we need to fix our priorities clearly, and what I am arguing for today is that we use all our influence to make sure that President Aristide reaches an agreement with the opposition parties that gives them confidence in the electoral process. That should be our priority.

Mission to Haiti #3
 Elections for Parliament and Municipalities
 June 23-26, 1995
 Robert A. Pastor
 Council of Freely Elected Heads of Government
 The Carter Center, July 17, 1995
Report on the Elections in Haiti, June 25, 1995

Executive Summary: Independent candidates and representatives from 27 political parties contested more than 2,000 municipal and Parliamentary positions in elections in Haiti on June 25, 1995. In the pre-election period, the Provisional Election Council (CEP) judged the qualifications of nearly 12,000 candidates, and disqualified about one thousand without explanations. The process was so prolonged and contentious that the ballots had to be changed up to the last days, and there were numerous mistakes. The CEP's erratic performance led three parties to boycott the election, and virtually all to question the CEP's judgment and independence. The unresponsiveness of the CEP to legitimate complaints raised by the political parties sowed seeds of distrust in the electoral process.

The turn-out on election day was about 50% of registered voters. The U.N. provided a reasonably secure environment, although the ballot mistakes led to violence in several districts. There were many poll-watchers. The most serious problem was in the count. In violation of the law, election officials did not complete the count at the voting site or sign and seal the proces-verbaux - the summary of the results - and the ballot boxes. Of 13 elections that I have observed, the June 25th Haitian elections were the most disastrous technically with the most insecure count. I personally witnessed the tainting of about one-third of all ballots in Port-au-Prince. The best that could be said of the irregularities is that they did not appear to be a part of a centralized or coordinated effort. Indeed, it is probably more accurate to state that Haiti's problem was that no one seemed to be in control.

In judging the election, one point of reference should be Haiti's history, and compared to 200 years of repression and dictatorship, the election represents a step out of Haiti's past. Whether it is a step forward or sideways remains to be seen.

Some in the international community would close their eyes to this travesty, but that would be unfair to the Haitian people, who together with the political parties, are the ultimate judges of the election. Thus far, 21 parties - nearly all but Lavalas - condemned the election and called for its annulment even before the results showed that Lavalas had won so many of the elections.

The international community should insist that the political parties' concerns be effectively addressed. Until then, the democratic process cannot go forward. This report recommends ways to salvage the election and regain the parties' confidence: (1) the criteria for re-holding elections should be expanded to permit more elections, and runoffs should be permitted for some Mayoral elections; (2) half of the CEP should be replaced by consensus candidates proposed by the parties; (3) a Multi-Party Commission should produce a report soon on specific ways to improve the electoral process; (4) a new electoral law is needed for a more effective, Permanent Elections Council; (5) mediation between the parties is essential; and (6) quick counts should be done.

ROBERT A. PASTOR

Robert Pastor has been Professor of Political Science at Emory University and Director of the Latin American and Caribbean Program at Emory's Carter Center since 1986. Dr. Pastor is the author of ten books and over 200 articles on foreign policy and Latin America, including Whirlpool: U.S. Foreign Policy Toward Latin America and the Caribbean and Democracy in the Americas.

Dr. Pastor is the Executive Secretary of the Council of Freely-Elected Heads of Government, a group of 25 leaders of the Americas, chaired by former U.S. President Jimmy Carter. The group has worked to reinforce democracy, and Dr. Pastor has organized the Council's efforts to monitor, mediate, or witness the electoral process in nine transitional countries. The mediation in Nicaragua (1989-90) and Haiti (1990) resulted in the first elections in the two nations' history that were judged free and fair by all the political parties and the international community.

In 1975-76, he was the Executive Director of the Commission on U.S.-Latin American Relations. Chaired by Hon. Sol M. Linowitz, the Commission offered specific recommendations on ways to improve U.S. policy toward Latin America. Many of these were implemented by the Carter Administration, which he served as Director of Latin American and Caribbean Affairs on the National Security Council (1977-81). He has worked as a senior foreign policy advisor to each of the Democratic Presidential candidates since 1976. He was an advisor to the Bill Clinton campaign on Latin America and has served as a consultant to the Departments of State and Defense during the Clinton Administration. In September 1994, he advised the Carter-Nunn-Powell mission that negotiated a peaceful restoration of constitutional government to Haiti.

Dr. Pastor received his M.P.A. from the John F. Kennedy School of Government and his Ph.D. in Political Science from Harvard University. A Phi Beta Kappa graduate of Lafayette College, he served as a Peace Corps Volunteer in Malaysia and in 1995 received the annual Sergeant Shriver Humanitarian Service Award from the National Peace Corps Association. He has taught at Harvard University, the University of Maryland, and El Colegio de Mexico as a Fulbright Professor.

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REPORT OF DULY BRUTUS PANPRA ON THE SITUATION IN HAITI

INTRODUCTION

I have the honor today of testifying before the Subcommittee on Foreign Affairs on the development of the political situation in my country one year after the colossal effort made by the American government and the United Nations to support the return of Haiti to constitutional order and of President Aristide. I am doing this in my capacity as former President of the Haitian Chamber of Deputies, a member of an opposition party (PANPRA: the Nationalist Progressive Revolutionary Party of Haiti), signatory of a bill, with two other political parties, aimed at getting the electoral process in Haiti out of its gridlock, a candidate for the office of deputy, victim of an assassination attempt on election day and illegal imprisonment from July 15 to July 17 1995.

First of all, I would like to thank the members of the Western Hemisphere Subcommittee, and particularly its chairman, Congressman Dan Burton (R-Ind) for giving me the opportunity to testify about the process which began October 15, 1994. I will speak in the name of my party, PANPRA, but I can assure you that I will make every effort to be objective and to take into account in my remarks the concerns of the other political parties who are campaigning for the creation of a pluralist democracy in Haiti.

I would also like to pay tribute to the clearly stated objective of the American Government and the United Nations, i.e., to establish democracy in Haiti. After a year of their presence in our country, my party and several Haitian political groups have, of course, had some disagreements, even some serious criticism, to make of certain approaches by the UN and the Clinton Administration to the problems in Haiti. In spite of everything, all the political parties in Haiti continue to believe that the original intentions of the international community were praiseworthy.

The testimony I am about to give before your committee will deal with the recent legislative and municipal elections, the human rights situation, and perspectives on the presidential elections.

I. THE LEGISLATIVE ELECTIONS

The start of the process was marked by the intent of the executive branch to control all the structures meant to organize the elections; rejection of the voting law passed by the Senate and the Chamber of Deputies of Haiti to impose a presidential decree; failure to respect the agreement between President Jean-Bertrand Aristide and the political parties to set up a non-partisan electoral council; almost exclusive nomination of members of the Lavalas Political Organization (OPL) within the Provisional Electoral Council (CEP) of the local offices, as regional officials for voter registration, the voting and counting the votes; arbitrary elimination of candidates to make things easier for the Lavalas sector in its quest for power; the mysterious disappearance of a million voting cards handled by members of the Lavalas Political Organization in control of the voting apparatus; a systematic campaign of intimidation and death threats made by delegates who are the official representatives of the President of the Republic at the level of the geographic departments of Haiti; use of state-owned media for the benefit of the Lavalas candidates, while the government arbitrarily closed the other six private media. To all this must be added the use of government resources put at the disposal of the party in power to campaign. During the entire pre-electoral period the political parties concerned with the future of democracy in Haiti unsuccessfully introduced bills to correct these excesses. The National Democratic Institute (NDI) did its best to support the Haitian parties

within a dialogue framework. Unfortunately this effort was not supported. Elsewhere, the International Republica Institute (IRI) did a precise, objective and professional report on the pre-electoral period, matching it with constructive suggestions for successful elections.

Unfortunately, the OAS held only one meeting with our political parties during the entire pre-electoral period. In spite of the protests made by the political parties about government control of the elections, the American Embassy, instead of using its influence to promote the organization of democratic elections, continued to support President Aristide unconditionally. Several acts of violence were recorded prior to the elections: an assassination attempt on the RDNP [Assembly of Progressive National Democrats] candidate, Milot Gousse, who was running against President Aristide, and his chauffeur was killed by several shots during the attempt; an assassination attempt against the FNCD [National Front for Change and Democracy] candidate in Borgne, Jude Faustin, who barely escaped with his life; an attempt on the life of the mayoral candidate for Barradères, who was shot twice during an electoral meeting; the assassination of the FNCD candidate for Anse d'Hainault, Mr. Henock Jean-Charles [sic]; death threats made by the vice-delegate (an agent of President Aristide) from the area against the parents of the PANPRA candidate, Edmonde Beauzile in their very own home. She is also the deputy from Belladere, and ... but it was this way throughout the country.

All the problems denounced during the whole electoral period, by concerned local and international parties, the political parties and the institutions committed to the success of the process made it predictable that June 25, election day, would be a disaster. And so, on election day we saw a charade of an election marked by voting offices being moved to secret hiding places, ballot boxes being stuffed by Lavalas Party activists, who are also government officials, the names of several non-Lavalas candidates not even appearing on the ballots, general manipulation of the ballots, representatives of the political parties being kept out of the voting offices, the counting of ballots not in keeping with the voting law, manipulation of the reporting, photocopies made, unsupervised and contrary to the voting law, of more than a million ballots, etc. . . On June 25 the Haitian political parties protested vigorously against the arbitrariness of the electoral machine and its activities on behalf of the Lavalas Political Organization. It is obvious that electoral machine officials did everything in their power to keep these elections from being open and democratic. Those who wanted to vote were frustrated, as they were during the Duvalier period, in their wish to exercise their right to vote. For PANPRA and 25 other Haitian political parties, these elections were not open and democratic and are unacceptable and inadmissible. As for our foreign friends who have supported democracy in Haiti, we understand what they mean when they say that "Haiti deserves better!" And it is true that that is why in 1986, when the people had tired of this kind of election and government, they rose in rebellion to say no.

PANPRA, like the majority of Haitian political parties, does not recognize the parliament born of this election. A parliament which is illegal and de facto. It should be noted that the watchword "abstain," recommended by the political parties, was, in large part, followed by the population. In fact, at the time of the off-year election on August 13, and the second round, carried out on September 17, the rate of participation did not exceed five percent.

II. THE HUMAN RIGHTS SITUATION

One of the chief objectives of the American intervention in Haiti on September 15, 1994 was to put a stop to the serious violations of human rights, to the assassination of political activists struggling to establish a government ruled by law. Today, a year later, in spite of the strong presence of the

international community in Haiti, we continue to report cases of political assassination which affect every sector in the society (civilian, political, and military). Up until the present there has been no serious investigation initiated by the government to identify and arrest the guilty parties. Does the government want to block these investigations? Justice is still an instrument which depends on political power. On the other hand, President Aristide, in contempt of the Constitution, has recalled judges and appointed his cronies. There have been many cases of arbitrary, politically motivated arrest, which shows once again that justice has a tendency to become a tool in the service of the powers that be. The theory most often put forward by representatives of human rights agencies in Haiti is that the number of violations has declined considerably, in comparison with the time of military government. This is true! But has anyone ever asked himself the following question: if political assassinations continue to happen in Haiti given the presence of foreign troops and no one can identify the guilty parties, what is going to happen tomorrow, when these foreign troops leave?

III. THE PRESIDENTIAL ELECTIONS

According to the Haitian Constitution, the people have the right to elect a new president on December 17, 1995 and he will begin his term on February 7, 1996. This is in keeping with President Clinton's commitment at the time President Aristide was restored to power. The legislative elections held under the conditions described above are ample proof of the Lavalas government's intention of structuring Haitian political life around a single party. Democracy cannot be established in Haiti in the shape of one man. It requires the reinforcement of institutions in an atmosphere of peace, tolerance, and real reconciliation. In this sense, then, we are launching yet another appeal to the international community, and, in particular, to the Clinton Administration and his advisor for security affairs, in order to, together with the entire Haitian political class, correct the misdeeds of the June 25 elections, which will allow us to create the conditions for holding an open and democratic Presidential election.

In fact, during the last three years, Haiti has been subjected to a harsh international embargo. The purpose of those sanctions was to force the military from office. It produced no results and the people of Haiti, already poor, had to pay for it dearly. Today, we of PANPRA think that solving the problem of Haiti requires that the international community committed to the establishment of democracy in Haiti assume its responsibilities.

Translated by
David Skelly
CRS-Language Services
November 9, 1995

TESTIMONY OF
KAREN A. HARBERT

"The Current Situation in Haiti"

OCTOBER 12, 1995
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON INTERNATIONAL RELATIONS
SUBCOMMITTEE ON WESTERN HEMISPHERE

I want to thank the members of this Subcommittee and Chairman Dan Burton for having this hearing and inviting me to testify at this critical juncture in Haiti's history. On October 15, 1994, the United States sent 21,000 of its most elite armed forces to restore President Aristide to power after a three year exile in the United States. The US has a long history of commitment to democracy and democratic principle in the Western Hemisphere which has supported many countries in pivotal moments in their histories. In this hemisphere, the US has played an important role in securing the opportunity for the public desire for democracy to surface. It is therefore an appropriate time to analyze the results of US efforts on the one year anniversary of President Aristide's return.

First and foremost, the Haitian people deserve commendation for their patience and commitment to laying the foundation for democracy in their country. They have endured decades of authoritarian rule and most recently three years under a military regime. What we have to examine is after the investment of \$3 billion of US taxpayers dollars and 21,000 US troops, how their lives and their pursuit of freedom have been advanced.

June 25th Legislative and Municipal Elections

The most important opportunity for Haiti to further the democratic process was the legislative and municipal elections on June 25, 1995, which would bring to office a completely new Chamber of Deputies, two-thirds of the Senate and all new local officials. The elections could have set Haiti on the path to badly needed reconciliation. However, in the aftermath of a chaotic election process, there has been a rebirth of a severely fractured political society reminiscent of Duvalier days. From the beginning of the electoral process when President Aristide refused to promulgate the electoral law passed by both Chambers of the Parliament and passed his own by decree, the Haitian political parties, with the exception of those directly supporting Aristide, have been marginalized at every step of the process.

Twelve days after Aristide was returned to office, he held a meeting with twelve major political parties to determine the modalities of the elections. He struck an agreement with the parties that the three branches of government would choose the nine members of the Provisional Electoral Council (CEP) from a consensus list of candidates submitted by the parties. On December 16, President Aristide announced the members of the new CEP chosen by the Executive, Legislative and Judicial branches of his government and only two of the nine members can be found on the political parties' list.

When eleven parties' made a proposal to the CEP on February 9 that two-thirds of the local election officials be chosen in public from a list compiled by the parties and the remaining one third be chosen at the discretion of the CEP, they were summarily ignored and on March 2, the CEP named the officials.

The CEP set an electoral calendar of which no single deadline was ever met and the election originally scheduled for December of 1994 was postponed three times. Most alarming was their failure to provide candidates with reasons for their rejection from the process, thereby denying them the legal right to appeal, and also their inability to ever publish a final candidate list. The candidate registration review process was carried out under a cloak of secrecy which was further aggravated by the CEP's refusal to respond to party and candidate protests or inquiries. Political parties addressed themselves in writing to the CEP numerous times and on various issues but received no replies.

When the CEP President himself announced that one million voter cards were missing, the political parties finally lost any confidence that this CEP could produce a fair election.

The lack of the credibility of the CEP, its complete lack of operational transparency and its seeming arbitrariness, set the stage for the chaos of June 25. But what is more alarming is that there were ample opportunities to correct this process along the way. I know because I was the Director of the International Republican Institute's election observation mission which began operating on May 1, 1995. We issued regular reports to the US and Haitian government outlining the problems observed in the pre-electoral process. Unfortunately, these problems went unaddressed.

This was an opportunity for President Aristide to encourage his country to come together for the elections, ensure an open process and reap the seeds of reconciliation. Yet, he remained mysteriously silent, except to endorse his political movement's candidates.

On June 25, the CEP's failure to provide adequate training to its elections officials, its failure to provide voter education, and its failure to address logistical inadequacies, resulted in an electoral breakdown. Despite the assistance of the UN and US military, the CEP still could not deliver and distribute sufficient voting materials to thousands of BIVs. Angry supporters whose candidates had been left off the ballot mounted protests and destroyed materials.

After voting ended and the ballots were finally transported to their collection sites, IRI observers all over the country witnessed alarming disorganization and irregularities: unsealed boxes of ballots were piled to the ceiling with ballots spilling out; marked ballots and tally sheets were found strewn around the buildings; open bags of unused ballots were available; deliberate tampering with ballots and tally sheets was taking place; and there was no system to log in and account for the materials. At this point, the integrity of the results and the verifiability of the process were destroyed. We released IRI's final election report yesterday which chronicles in much greater detail the problems of the election.

Fortunately, the presence of the UN and US troops prevented large outbreaks of violence, but the process itself denied Haitians the opportunity to have an acceptable election. Twenty-six

out of 27 political parties called for the annulment of these elections and most of these parties boycotted the rerun elections of August 13 and the runoffs of September 17. Due to the boycott, a lack of voter education, and voter fatigue, voter turnout was low for both the rerun and runoff elections.

Despite the entire opposition calling for new elections, at least four joint resolutions by the parties on June 29, July 9, July 28, and September 18 which strongly condemn the process, two visits and two proposals by US Deputy of State Strobe Talbott and a concrete proposal by the three largest opposition parties to solve the crisis, the government of Haiti carried on with the election process. What signal does the government of Haiti send to the opposition parties by the way in which the election and the aftermath have been handled?

The new Parliament will be inaugurated on October 15 during the visit of US Vice President Al Gore. His presence gives this new parliament the legitimacy that it can not claim from this mismanaged election and will show how far this Administration is willing to compromise to claim their policy a success.

This was not a foreign policy success because there was not mass violence on election day; this was a very expensive electoral machine which did not work. And what will happen when the 6,000 troops go home and the large flows of funds are no longer feasible. What institutionalization of the electoral process, a critical underpinning in any democracy, have these outlays achieved? There are ways to correct this process, and I will ask that IRI's 36 constructive recommendations to improve the electoral process in Haiti be included in the record. If the government of Haiti would demonstrate its commitment to a better electoral system by making a good faith effort at implementing IRI's recommendations and those made the Carter Center, we might see a better election process in the future.

Human Rights and Recent Assassinations

Fortunately, due to the presence of the UN troops, violence has decreased in Haiti from the time of the de facto military regime. However, there is a disturbing string of assassinations beginning to surface. The OAS/UN Human Right Monitoring Mission recently released a statement that 20 commando-style killings had occurred in Haiti since the beginning of the year.

When Mireille Durocher de Bertin, a lawyer and leading opponent of Aristide, was assassinated on March 28, 1995, the US government sent a FBI team to help the Haitian government with the investigation. Not only has the government of Haiti made it difficult for the FBI to access persons to interview, but on September 19, they released the four suspects from jail for lack of evidence. This case, despite its high priority, remains unsolved. Likewise, the assassinations of Reverend Silvio Claude, Roger Lafontant, Antoine Izmary and former Minister of Justice Guy Malary have not been solved. Fresnel Lamarre, a leading suspect in Aristide ally Antoine Izmary's assassination, was killed in early May and one his close friends was shot 40 times a few days later.

More recently, on May 26, UPD candidate for Mayor Cadet Madsen was shot while campaigning and, on June 19, RDNP Senate candidate Milot Gousse was wounded and his driver

fatally shot. The day after the election, FNCD Deputy candidate, Henock Jean Charles was assassinated. Colonel Romulus Dumarsais was assassinated a few days after the election. On October 4, General Max Henri Mayard was gunned down while getting out of his car. He was in charge of the investigation of the murders that occurred on July 26, 1991 of Bastian Desrosiers, Stevenson Desrosiers, Jacques Nelio, Pierre Schiller and Louis Walky.

These incidents are passing by without the leadership in Haiti decrying the return to violence. The lack of investigation of these killings and the government's complacency is disturbing.

Economic Reform

The government of Haiti put together an ambitious economic reform agenda which gained them a very successful Paris Club meeting in January. The international donor community pledged generously to support Haiti. A critical portion of the package was a pledge to privatization and reduction of a bloated public sector. While funds have been made available for Haiti to pay its overwhelming debt burden, not one state-owned company has been privatized. Recent statements by President Aristide indicate his opposition to privatization.

Private investment, badly needed to restart the Haitian economy, has not returned. Many of the US companies that left Haiti during the embargo will not return and new companies are not anxious to incur the risks involved in the unstable environment.

The unemployment rate is still the highest in the hemisphere and the price of basic necessities, like rice, have not measurably decreased. While purchasing power of the average Haitian has not increased, there is a noticeable increase in activity in the informal sector of the economy.

New Police Force

The government of Haiti has abolished its army and is establishing a new police force. The recruitment of the members of this police force has been conducted from the ranks of the former military. Twice the US government has had to insist on a purging of the recruits to eliminate known human rights abusers.

The limited effort at disarmament early on in the demobilization of the army has left many weapons unaccounted for -- this could be potentially dangerous when the UN troops leave in February.

At the graduation ceremony of the first class of cadets on June 5, 1995, in the presence on US Secretary of State Warren Christopher, President Aristide engaged the cadets in a back and forth chant - "we are all Lavalas." The police force should not be politicized; this only brings back the same image of the secret police force Aristide was forming in 1991.

US Military

The members of the US armed forces in Haiti, as a part of the UN presence, have done an outstanding job albeit with a confused mandate. They have stepped in and implemented civic education efforts for the elections when the CEP failed to initiate one. Without the logistical assistance of the UN forces, voter registration and election day itself would have been impossible. The lack of violence is directly attributable to their presence. However, it is still disconcerting to see the elite members of our armed forces reduced to simple guard duty.

Conclusions

- Haiti is now a one-party state with the executive, legislative, and judicial branches all dominated by the Lavalas movement. The checks and balances within the system have been removed.
- The government of Haiti's bold indifference to the serious allegations by all of the opposition political parties of fraud and mismanagement of the electoral process is splintering the very pillars that could support Haiti's fragile democratic structure.
- The US government's endorsement of the electoral process has set a new standard for election processes and has sent the wrong message to the opposition in Haiti.
- The Presidential elections scheduled for December must take place to avoid democratic reform from coming to a complete halt.
- An increase in selective political killings without appropriate reaction by the government raises serious doubts about their commitment to human rights.
- The government of Haiti may be backing away from its commitment on economic reform.
- The politicization of the new police force is a recipe for disaster, seen before in Haiti, and many other countries in this hemisphere.
- The US security forces have played many roles since their arrival; the government of Haiti must be able to take more ownership in the many areas the US forces have been working to avoid a large vacuum after their departure.
- It is time after the outlay of \$3 billion dollars, that the US government be able to provide a detailed and thorough accounting of how these funds are being spent.

The facts speak for themselves, this is not a foreign policy success story. It is time for the US government to decide if these are the type of results that justify \$3 billion and 21,000 American soldiers. The people of Haiti and the US taxpayer deserve better. Thank you.



NATIONAL DEMOCRATIC INSTITUTE FOR INTERNATIONAL AFFAIRS

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Statement of

**KENNETH WOLLACK
PRESIDENT**

NATIONAL DEMOCRATIC INSTITUTE FOR INTERNATIONAL AFFAIRS

before the

SUBCOMMITTEE ON THE WESTERN HEMISPHERE HOUSE COMMITTEE ON INTERNATIONAL RELATIONS

October 12, 1995

Mr. Chairman and members of the Subcommittee, I appreciate the opportunity to speak with you today about a remarkable year in Haiti and specifically about important aspects of the democratic process there.

One year ago this week, Haiti's democratically elected president was returned to his country -- a country devastated by three years of repressive military rule that followed the September 1991 coup d'etat. None of us, I imagine, will soon forget the scenes last October of the Haitians' joyous reaction to the return of their president and their renewed hope for democracy. Nor should we forget scenes that preceded President Aristide's return -- that of large numbers of desperate Haitians risking great danger to boat or raft to U.S. shores, usually ending their trip in the swelling ranks of the refugee camps at Guantanamo Bay.

Just two weeks after President Aristide's return, an NDI survey team was in Haiti to assess the feasibility of renewing democracy assistance programs. The team's subsequent report noted that:

"The general atmosphere in Haiti was one of great relief at the return of President Aristide and presence of the U.S.-led Multi-National Force (MNF) and the International Police Monitors (IPM). As one woman in Saint Marc whose family had been persecuted by the military declared, 'Now I can sleep at night.' This sense of security was palpable.... There was no longer a night curfew, nor seemingly a need for one."

This was not to say that there was not continued nervousness about security or a recognition of the difficult road to genuine democracy that lie ahead.



conducting nonpartisan international programs to help maintain and strengthen democratic institutions



President Aristide's immediate mandate, in addition to the difficult tasks of reviving a battered economy and reconciling a scarred society, was the conduct of a series of important elections. NDI's survey team found widespread agreement among those Haitians with whom it met that the constitutionally mandated legislative and local elections scheduled for 1995 were important for the consolidation of democracy in Haiti. It should be noted, however, that the combination of high levels of support for Aristide and low levels of civic education about democracy made it difficult for some Haitians to understand the necessity of these polls.

Haiti's democratic future should not be judged solely on the conduct of the June 25 elections and the election re-runs and run-offs of August 13 and September 17. However, there were significant problems in the administration of the elections. If Haiti's democratic system is going to progress, many of these problems will need to be addressed before the presidential elections scheduled for December. At the same time, Haitians can and should build upon a number of positive elements that were not present in previous electoral exercises.

Mr. Chairman, let me outline briefly NDI's involvement in Haiti and our efforts to assist the Haitian electoral process. NDI has been active in Haiti since the fall of the Duvalier regime in 1986, when the Institute held the first of a series of technical assistance programs for Haitian political parties. NDI also conducted a series of programs in support of the electoral process in Haiti, including international monitoring and observation missions to the 1987 and 1990 presidential elections.

Following the inauguration of President Aristide and the democratically elected parliament in 1991, NDI received funding -- under AID's Democracy Enhancement Project - - to conduct programs to strengthen the parliament and promote healthier civil-military relations. These funds were suspended following the September 1991 coup. After the return of President Aristide last year, NDI sent a survey mission in October to assess how the Institute could best meet Haiti's needs in the new political environment.

Based on the findings of the survey mission, NDI opened an office in Port-au-Prince and began implementation of programs designed to strengthen credibility in the electoral process and to help build nascent democratic institutions. These programs, funded by AID and the National Endowment for Democracy, included: the training of party pollwatchers; organizing political party debates; and encouraging and facilitating dialogue among political parties, electoral authorities, and others involved in the elections. All NDI programs were nonpartisan and included the participation of ruling and opposition parties.

A party leaders summit, organized by NDI in February, served to address major concerns about the electoral process and to help NDI determine the specific needs of parties. The meeting also marked the first time that party leaders from across the political spectrum had an opportunity to hear from representatives of the new Provisional Electoral Council

(CEP). NDI helped train party pollwatchers in all of Haiti's nine departments, and the turnout of party pollwatchers on election day was impressive. This program involved Haitians at all levels of society in monitoring the elections, and it gave parties a vehicle for the development of longer-term party structures.

NDI's civic education program was developed to address the real need for an issue-based campaign. Parties in Haiti have generally been viewed in terms of personalities rather than as vehicles for debating public policy issues. Moreover, in previous elections, political debate was often met by violence. NDI invited a group of Haitian civic leaders to organize four public debates in May and June in which candidates could define their party positions and respond to questions by journalists and the public. Five to six party representatives at each debate site discussed a broad range of issues, including cost of living, decentralization, and privatization. The debates were held in Port-au-Prince, Cap Haitien, Gonaives, and Les Cayes and were attended by nearly 2,000 citizens and covered extensively by the news media. Radio and television broadcasts of the debates reached tens of thousands of additional, prospective voters.

NDI believes that confidence and participation in the electoral process can be enhanced measurably through ongoing communication between the election authorities and the political contestants. Traditionally, Haiti has not experienced constructive, open political dialogue. Deep divisions among social classes remain unbridged, and extreme distrust prevails. NDI determined that it could assist in building credibility in the Haitian electoral process by developing a program to facilitate communication among political leaders and others involved in the elections. This NDI program was led by a former vice minister from El Salvador who was a key participant in negotiations to end the civil war there. He established regular, daily contacts with the parties to foster a climate in which the participants could resolve differences, work together to find solutions, or, at a minimum, understand more clearly each others' points of view. The program began with a second political party summit to discuss a code of conduct and a regular mechanism for discussion of inter-party issues. The parties and the CEP agreed officially to form an Electoral Monitoring Unit that would give the parties an additional role in ensuring the integrity of the electoral process.

What began with a stiff meeting of party leaders across the political spectrum and representatives of the CEP developed into open conversation and a recognition that the CEP should engage in discussions with parties. While there is still a deep and abiding need for increased dialogue between the political parties and the CEP, the process has progressed significantly from the Council's initial reluctance even to meet with political parties.

Many of the more than 225 party trainers who participated in NDI's pollwatcher training program conducted their own follow-up programs -- and most of the pollwatchers carried out their tasks on election day in a professional manner. Furthermore, despite a slow start, the Electoral Monitoring Unit was partially implemented for the runoff elections and provided participating parties and the CEP with useful information on the electoral process.

The party debate program was extremely well-received, despite initial doubts that peaceful political discourse could, in fact, occur. Political leaders commented that the level of discourse -- the public debate of substantive issues -- was higher than anything experienced in Haiti's history and more responsive to the concerns of voters. International observers and journalists noted that the debates were a highlight in an otherwise lackluster campaign.

Mr. Chairman, a consistent lesson in all of NDI's electoral experience is that elections are not simply a technical process. Elections are part of a political process that, to be successful, requires public confidence. Sound electoral laws and procedures are necessary but are not sufficient: the public, including the political contestants, must believe that the electoral process will be effectively and impartially implemented. Steps must, therefore, be taken to ensure that the electoral process is not only administratively sound, but is also free from the perception of partisanship.

In a situation -- such as Haiti -- where the country is emerging from an anti-democratic crisis, where a long tradition of genuine elections is absent, and where elections were to be organized quickly, confidence in the process is all the more important. Particularly in highly-polarized political environments, where the ruling party is expected to garner substantial support of the electorate, it is necessary for the incumbent government and the election authorities to take measures beyond the minimum legal requirements to create an expectation that fairness will prevail.

NDI did not field an international observer delegation for these elections. Rather, we chose to concentrate our efforts on the programs that I have mentioned earlier. Therefore, I am not going to comment on specific aspects of election day proceedings. Others are better suited to comment on international observations of these elections.

However, NDI joins others in noting that the problems during Haiti's 1995 elections were severe. From the outset, the CEP failed to build an open electoral process. The CEP had enormous responsibilities and a complicated task. However, these challenges were compounded by public confrontations with political parties and international agencies.

Other problems with the functioning of the CEP included:

- A failure to meet early and often with political party leaders to explain the plans for the elections and discuss their concerns.
- A seemingly arbitrary candidate vetting process that left parties confused as to the criteria used in determining which candidates were accepted and placed on ballots.
- A failure generally to involve parties in the electoral process, as well as to ensure a climate of responsiveness to parties' concerns.
- The inability to train and compensate pollworkers.

Some efforts aimed at improving the credibility of the electoral process were carried out too late or not at all:

- While the CEP and the political parties did begin to meet more often than they had in the beginning of the process, including in a series of meetings facilitated by NDI, a proposed plan for frequent, regularly scheduled meetings was never adhered to.
- The party-based Electoral Monitoring Unit of the CEP was not implemented for the June 25 elections. Financing and plans for training and administering the monitors came too late for parties, the CEP and international trainers to put the plan into action.
- Voter education programs were not sufficient to prepare the electorate adequately for the balloting.

The coming presidential elections provide an important opportunity to learn from past mistakes, as well as to build on some of the more positive aspects of the country's continuing transition to democracy. NDI sees reason to remain optimistic. Conspicuously absent during these elections was the violence that had marred previous balloting. We believe that Haitians are opening new avenues of dialogue and understanding that can produce more balanced solutions to these difficult challenges. While the composition of the CEP remains a controversial issue among the political parties, the Council, after recent changes in personnel, appears more willing to address problems and to communicate openly with party leaders and the public. The CEP has scheduled re-run elections in places where there were major irregularities. These actions should be encouraged.

With little time to prepare for the December presidential election, a concerted effort must be made to continue to promote agreement between the government, the CEP and political parties on outstanding election related issues. Dialogue must be carried out in a spirit of tolerance and compromise on all sides.

Furthermore, while not to minimize the serious problems in the June elections, I am unaware of evidence that would point to widespread or systematic fraud or to irregularities that could have significantly altered the outcome of the elections. Such fraud and/or irregularities were evidenced in the Philippines in 1986, Panama in 1989, Cameroon in 1992, and the Dominican Republic in 1994.

For its part, NDI is prepared to continue its assistance during the presidential election period, including training of party pollwatchers and the Electoral Monitoring Unit, and support for presidential candidate debates. NDI also plans to support voter education by assisting in disseminating electoral messages to the public. Lastly, NDI's efforts to facilitate communication will include a new program begun in the period after the June legislative elections -- the establishment of an Electoral Information Center, a meeting place and

resource center for journalists, electoral authorities, political party workers, and members of the international community involved in the election process. The Center is neutral territory, and all participants are free to disseminate information through the Center to others interested in the elections. NDI is conducting seminars for journalists on election reporting, and the CEP is utilizing the Center to communicate with the Haitian public.

Mr. Chairman, we at NDI remember vividly the tragedy of the aborted 1987 elections in Haiti. International observers sponsored by our Institute saw numerous shootings at defenseless voters who were waiting patiently in lines to cast their ballots. Two groups of NDI observers were fired upon; three bullets hit the vehicle carrying one of the groups.

These memories remind us of the courage of the Haitian people and their aspirations for a democratic future. Recent events underscore how much has changed, but so much more has to be done. The international community now has an opportunity to continue to advance democracy in Haiti and do so measurably. As the country prepares for presidential elections, the Haitian people deserve our support.

Thank you.

PREPARED STATEMENT

Georges A. Fauriol
Director, Americas Program
Center for Strategic & International Studies

October 12, 1995

before the
House Committee on International Relations
Subcommittee on Western Hemisphere
U.S. House of Representatives

I appreciate the Committee's invitation to provide my views on the state of U.S.-Haitian relations.

U.S. Policy Objectives

The first question I pose myself is, why are we having a hearing today? Obviously, it is one year after the momentous events that first led to a U.S.-led international intervention and subsequently to the return of President Aristide to office. Within a few days a new Haitian legislature will come into office.

The basic proposition that most observers can agree with is that since the September 1994 intervention Haiti has come a long way. This is obviously true if the baseline is the catastrophic situation during the embargo and the interim military government. President Clinton can legitimately take credit for breaking the Haiti policy log-jam that had in fact begun during the previous Republican administration.

But US policy, and developments in Haiti, cannot be judged solely on where policy has come from; a more appropriate question relates to the situation that Washington might face six to twelve months from now. I am not suggesting that a little celebrating is inappropriate but I am uneasy about what appears to be a tendency by the White House to prematurely pronounce the Haitian policy experiment a success story. A certain amount of policy-making complacency in Washington is likely to ensue from this; this will not maintain the appropriate pressure on the Haitian government that is necessary to ensure that reforms are pursued and commitments to the Haitian people and the international community are fulfilled.

The strategic assumption made by the United States in 1994 was that President Aristide's return was justified in order to maintain constitutional legitimacy, but also that it would establish the foundations for a new order in Haiti. One year later, the future of the democratic process in Haiti is playing itself out as we meet here today.

The first observation I would like to offer, therefore, is that a new order may be

emerging but it may not be democratic. Let me expand on this point.

Clearly, President Aristide's three year saga in exile and his eventual return represents a remarkable achievement. Aristide's political supporters, the White House, the international community at-large, and obviously Aristide himself, all are claiming a share of the credit.

But what did Washington want out of all of this? Washington wanted a resolution of the political crisis in Haiti and a halt to the refugee crisis. Looking over the horizon, the United States is now hoping that orderly electoral transitions will ensure stability, in turn sustain security, foster economic viability, and restore some degree of investment confidence for both international aid programs and private sector inflows.

How does one judge present efforts underway by the Aristide government? Three objectives frame U.S. actions in the wake of Aristide's return: the election of a new parliament; the orderly transfer of presidential authority to a new, democratically elected president in early 1996, and the implementation of a package of significant national reforms. If achieved, these conditions would usher in a new era in Haitian political governance.

The June 25 Process

The first practical test for the Haitian government has turned out to be the June parliamentary elections. The outcome of that process--a new parliament--is due to be inaugurated in the next few days, with the United States represented by Vice-President Al Gore. The verdict regarding the June elections is messy at best and now well known. I was an election observer in several Central American countries during the troubled 1980s but did not witness what I saw last June in Haiti--not violence or determined fraud, but rather an almost perverse abdication of responsibility to manage the system by Haiti's interim electoral commission, coupled by a remarkable negligence on the part of portions of the international community and President Aristide to provide corrective measures in due time.

Three months later what policy conclusion can one draw? The practical policy implication of this is three-fold:

first, the Lavalas OPL group comes into the new legislature, and many municipalities with majorities that range from 75 to 90 percent control;
second, the United States and the international community overall appear disposed to discount both the imperfections of the June electoral process as well as the implications this might have on the upcoming presidential elections; and
third, with Vice President Gore's visit to Haiti in a few days, the United States is endorsing the current political process and to some degree foreclosing critical policy options in months ahead.

There are some potentially fatal flaws in Haiti's political equation, starting with the idea that Haiti's electoral problems can simply be assigned to the difficulties of poverty and

the political impact of a three-years crisis. There is also a general attitude among some Haiti observers implying that the June elections were a ratification of Aristide's leadership rather than a process designed to select a key branch of government as well as local community leadership.

One senses in this analysis two worrisome features: the overarching notion that President Aristide is the only source of legitimate political authority, and the converse, that opposition forces lack credibility--in fact, are suspect since they no longer conform to the centralized political structure being implemented through the OPL apparatus. It does not require much of a stretch, even among well informed Washington observers, to suggest that a realignment of Haiti's political forces is in the making. From this environment will ensue new political groupings. Established political parties and related constituencies represent the past and have little standing from which to criticize the recent parliamentary elections. This line of analysis therefore recognizes that the new Parliament may not be monolithic but draws the optimistic conclusion that from this OPL majority will ensue a constructive political realignment.

This analysis has some merit in the abstract but suffers if you are concerned about policy. The most immediate problem is that it marginalizes perfectly legitimate players, which even if they represent minority opinions are nonetheless essential ingredients in an open, democratic society. A separate problem may arise if the new parliament does not indeed "realign" itself quickly; this would lead to a parliament operating as a rubber-stamp or as a dysfunctional institution. Either way, Haiti cannot afford this.

A secondary concern I have relates to the manipulation of this amorphous parliamentary environment by the Haitian presidency and its political apparatus. Haitian legislatures have never played a salient role in the face of a determined executive branch and there is no reason to believe that current circumstances will result in a radically different Haitian political logic. A worse case scenario is likely to be paralysis between an increasingly tempestuous government and a chaotic parliament. Obviously, some of this may not happen but it assumes smooth sailing for the upcoming presidential elections.

Presidential Elections

This brings us to the second major test of policy toward Haiti. The verdict is still out but I am one who believes that a linkage exists between the uncertainties of the June parliamentary electoral process and the presidential contest. What am I suggesting?

The calendar has slipped into December. In fact, with so much to be done technically it is more likely that elections will be held in January 1996. If the political atmosphere of the June parliamentary is any guide, the contest at the end of the year could suffer not so much from logistical problems but from a fundamental erosion of the "election" character of the event; with little political opposition participation, and much of the electoral dynamic built around a broadly-based Lavalas/Aristide cult movement, the presidential could resemble a referendum. This raises serious questions regarding the legitimacy and viability

of the new government coming into office in 1996.

The Provisional Electoral Council (CEP) remains in place, with only cosmetic changes in its leadership made following the June 25 debacle. The entire electoral machinery is strongly associated with OPL patronage. The open disdain of "opposition" groups by the Haitian government suggests an unhealthy aspect of the presidential elections.

With so many uncertainties in the political calendar over the next two months, it is the inherent confusion of the electoral process that is most troubling. It is within the prerogatives of the new incoming parliament to call for the formation of a permanent electoral council, a lengthy process that would delay elections well into 1996. Concerns have also been voiced regarding an extension of President Aristide's term, particularly through parliamentary action. Technically, this is not possible unless key features of the constitution are bypassed [article 282-1 notes that constitutional amendments can only be proposed during the closing session of a parliamentary term--four years, and voted during the first session of the next parliament]. Diplomatically, the Aristide government is well aware of the complications this would create in Washington and elsewhere. However, for Aristide to stick to his declared intention of leaving in February 1996 requires him to resist politically what his OPL and grassroots supporters (and friends overseas) still hope might happen--to find a way for him to stay in office.

The Reform Process

The third major test of policy toward Haiti involves a package of reforms--economic, security, and judicial reforms. These undergird the international commitment to the government of President Aristide. Admittedly, the task facing Haiti is enormous and no one should have any illusions. Yet, the magnitude of the financial and material commitment suggests close scrutiny of Haitian policy. So far, the reform record is thin and increasingly draws attention to growing gaps between last year's objectives and next year's probable accomplishments.

Judicial reforms remain at the preliminary stages, slowed down in great part by the non-functional character of Haiti's legal system. In the security arena, the Haitian government can point to the elimination of the armed forces as an institution, an action that will require action by parliament in order to be finalized. The training of a new police coexists uneasily for the moment with an interim force commanded by Danny Toussaint, a confidant of President Aristide. The network existing between the President's national security team [Toussaint, Patrick Elie, Pierre Cherubin and others] and his political entourage [Rene Preval, Gerard Pierre Charles, and others], and the untested new police force is an uncertain factor in the definition of the country's law enforcement priorities.

Two issues therefore require attention: first, there are concerns over the new police force's ability to retain political and professional autonomy from a highly politicized government; the Ministry of Justice is not only a new institution but also a weak one. The second issue relates to the capabilities of Haitian security forces following the conclusion

of the UN mandate and the drawdown of military forces. Lets face it, since late 1994 Haiti's law enforcement picture has operated in an artificial environment framed by U.S. forces.

It is perhaps in the area of economic reforms that Haiti's reconstruction process may be faltering the most dramatically. Economic reconstruction commits an extensive array of foreign governments, international institutions, business interests, and voluntary groups. The most symbolic and growing controversy now involves the privatization program. It is at a standstill, caught between a weak government economic team lead by Prime Minister Smarck Michel and a hostile President and political community. With the incoming parliament likely to name a new prime minister, the outlook is not good. The debate has turned political and ideological. The hostility of the Haitian government to free market and basic structural reforms is now very palatable. At issue is the character of Haiti's economic development program and the international assistance and investment that is to support it. In this context, Haiti's economic interests are not likely to be addressed effectively.

Conclusions

These remarks lead me to a somewhat paradoxical observation.

The Committee should prepare itself for some serious soul-searching regarding U.S. policy interests in Haiti, particularly as the UN mandate concludes five months from now. Although the Administration is redefining its Haitian policy as an act of faith, a more credible outlook suggests tough times ahead even under the best of circumstances. Ironically, Haiti's political leadership appears more aware of this than the White House. But let's not kid ourselves, the character of U.S.-Haitian relations will imply some appeal to Congress for decisions. And among possible choices, cutting off Haiti from US policy will not be an option. Haiti is too close geographically for that.

There are certain steps the Committee might take or encourage to shape the agenda. Much of this can be drawn from already existing proposals.

1. At the electoral level, a number of credible suggestions are on the table from the International Republican Institute and the Carter Center. Others testifying today can read you chapter and verse on this subject. These recommendations do not need further study, just action and accountability on the part of the White House and the Haitian institutions using U.S. tax dollars. The question you need to ask yourselves is whether you are satisfied with the answers you have received thus far.

Although an accounting of the June elections apparently remains incomplete, I would suggest focusing priority attention on the upcoming presidential election planning. Time is extremely short and answers obtained on what comes up over the next sixty days will be very symptomatic of the broader challenges the U.S. Congress might face with Haitian policy.

2. The lack of a dialogue between President Aristide's government and what is left of the country's democratic opposition--even if the latter is small--is a serious matter if U.S. policy in support of democracy is to remain credible. The White House has failed in its

efforts to revive such a process but the dialogue needs to nonetheless exist. The Committee's ability to highlight this issue, and encourage others to sustain Haiti's democratic political groupings is not just rhetoric--it is an important message.

3. Both the House of Representatives (Rep. Goss) and the Senate (Sen. Dole) have proposed legislation linking constitutional and human rights performance in Haiti with continued U.S. assistance. For these suggestions to have any relevant result, further hearings will have to held on these themes sooner rather than latter.

TESTIMONY OF
CONGRESSMAN DONALD M. PAYNE
PRESENTED BEFORE
THE SENATE FOREIGN RELATIONS COMMITTEE
SUBCOMMITTEE
ON THE
WESTERN HEMISPHERE
JULY 12, 1995

E L E C T I O N S I N H A I T I

Mr. Chairman and members of the committee. Thank you for holding a hearing on Haiti's recent elections, and for inviting me to testify before you today.

I have long been interested in Haiti's struggle against dictatorships and its quest for democracy. And so, I have made it a point to travel to that country repeatedly over the years in order to gauge and monitor the progress and frustrations along the long road to democracy. It has also been my view, Mr. Chairman, that my actually being on the ground in Haiti and being in contact with the people of that country would help me make informed, enlightened judgements whenever U.S. Haiti policy was being deliberated in the United States Congress.

Mr. Chairman, I was last in Haiti as a member of the American Inter-Organizational Observer Mission during the June 25 elections, and our mission, comprised of individuals with a longstanding commitment to the democratic ideal, we collectively observed voting at approximately 100 polling stations throughout various regions of the country. (Attached, for the record, is a copy of the statement we released upon our return).

Since returning from Haiti, I have reviewed many press reports on the elections. Although these reports have at times presented a negative picture, replete with images of total disorder, I must stress that this was not the case throughout the country. In Cap

Haitien, for example, which was one of the cities to which I was posted, the situation was quite different. The process was orderly, and for the first time in Haitian history there was a complete lack of Haitian military presence during the elections. Instead, Haiti's newly trained police were in place and their obvious sense of discipline and decorum contributed significantly to the overall atmosphere of order and tranquility.

Election day in Haiti was a profoundly moving experience. As someone who knew the Haiti of the Ton Ton Macoutes, the Haiti of FRAPH, the Haiti of the attaches, and the Haiti of the Section Chiefs, as someone who knew Haiti when no-one dared venture out after dark and the Haiti in which fear was stamped on the faces of those who moved by day.....as someone who saw first hand and up close the coup leaders' determination to rid Haiti of all vestiges of democracy.....June 25 was a banner day for Haiti, a banner day for the United States, and a banner day for democrats around the world. Seeing Haitian voters pressed against each other in the sweltering heat, focussed on that time sacred democratic ritual of casting their ballots, waiting sometimes for hours was a moving contrast to the memory of Haitians fleeing the coup regime in leaking boats, drowning at sea, being eaten by sharks, being summarily repatriated to a country then filled with dread. The Haitian people now know that they have a stake in the future of their country.

It was obvious that there were administrative glitches that had not yet been worked out. In one case, we witnessed the frustration of voters who could not get into the polling station because the key was no where to be found. Those who had been waiting in line wanted to vote, demanded the right to vote, were not going to leave until they had voted. Electoral officials had no option but to depart from standard operating procedures by breaking the lock on the polling station so that voting could indeed proceed. This is one example of the type of unanticipated adjustments that had to be made in one place or another in Haiti on June 25. In other instances, we observed polling stations that were very tiny, and very hot. Yet the voters remained patient and steadfast in their determination to vote because - as so many of them said - their voting represented hope for a better future and assurance that the dreaded army would not return.

Mr. Chairman, we now know that in a very small percentage of instances, some polling stations never opened at all. However, the assessment of our observer mission, as well as that of many neutral observers, is that Haiti's June 25 elections were characterized more by administrative shortcomings and infrastructural inadequacies than widespread fraud, strong-arm tactics, and intimidation.

Indeed, in an attempt to facilitate maximum participation in the elections, the Provisional Electoral Council twice extended the

deadline for voter registration - first to May 30, 1995 then to June 3, 1995. In addition, once the administrative snafus of June 25 became apparent, the Provisional Electoral Council quickly moved to extend the 6 pm voting deadline to ensure that all polling stations were indeed open for 12 hours. In addition, electoral officials also established clear criteria to determine those areas in which elections would need to be held again.

Mr. Chairman Haiti's election workers labored for months to meet the June 25 date for the elections and over the past three weeks have been consumed with the task of counting, recounting and certifying all ballots. And, as we speak, Haiti's electoral officials are working with Haitian and UN Security forces to design a security plan for the upcoming complementary, run-off, and presidential elections. In addition, **and this is a very important point**, the CEP is now in the process of organizing elections for Territorial Assemblies in order to form the Permanent Electoral Council **as mandated by Haiti's 1987 Constitution**.

Hundreds of journalists from all over the world have been free to travel throughout Haiti during the run-up to elections, during the actual elections, and now, during this post-election phase. In addition, some 1,441 observers representing 71 organizations were accredited as official election observers.

It was not always easy for the CEP to obtain the resources it

needed, Mr. Chairman. Items as basic as vehicles and filing cabinets, for example, never quite materialized in the quantities needed and expected. Filing cabinets ordered in December 1994 arrived on June 23 1995 - two days before the elections. Another major challenge was the reviewing and screening of 12,000 candidates in approximately one week within the complex procedure of Haiti's electoral law in an environment in which some of the equipment delivered by international donors - such as computers - was extremely sophisticated and included complicated features which overcharged the system and further slowed down productivity.

Regarding the accreditation of candidates, several candidates from across the political spectrum were indeed rejected for failing to meet the requirements of Haiti's electoral law. However, Micheline Begin, the OAS Electoral Mission Associate Director has ruled that there was not, as claimed by some, any political bias.

Mr. Chairman, on June 25 Haiti reached another important milestone along the long difficult path to lasting democracy. There were flaws in the process to be sure, but reasonable people should have expected that. These were, after all, the most logistically complex elections in Haiti's history.

The important point is that these elections were a good faith effort by the Government and people of Haiti to move forward on the democratic front. And, as long as there continues to be positive

movement and a dedication to democratic ideals, Haiti deserves our continued friendship and support.

Even a trip of a thousand miles must begin with a single step. Haiti took its first step towards democracy in 1990 with the election of President Aristide, and remained steadfast on that journey on June 25, 1995.

Many people question why the United States should help Haiti. In addition to the humanitarian reasons, there are historic reasons. We need to remind our selves of the sacrifices Haiti has made for us, starting with our Revolutionary War in 1776. A battalion of French Haitian volunteers fought in the battle of Savannah. In that battalion was a "company of color". One corporal by the name of Henri Christophe helped to repel three charges from the British. Finally wounded, he returned to Haiti where he became one of the famous leaders in Haiti's war of independence from the French, which marked the turning point in Napoleon's prospects for dominating the North American continent.

There were 200,000 slaves fighting against 70,000 French citizens in Haiti at the time. Napoleon sent his brother-in-law with 40,000 of his best troops to put down the revolt. The slave revolt lasted for many years, but in the end there were only 10,000 French soldiers left and Napoleon was forced to give up his expansion into North America and sell the Louisiana Territory to the United States

- a purchase made with a "down payment of Haitian blood".

Just think, if it were not for the slave revolt in Haiti, and the blow that dealt Napoleon, much of north America might be a French speaking country today.

The important point is that these elections were a good faith effort by the Government and people of Haiti to move forward on the democratic front. And, as long as there continues to be positive movement and a dedication to democratic ideals, Haiti deserves our continued friendship and support.

Thank you Mr. Chairman.

A T T A C H M E N T A

American Inter-Organizational Observer Mission

Official Observers

Danny Glover
Artist/Activist

William Lucy
International Secretary-Treasurer
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The American Inter-Organizational Observer Mission visited Haiti on June 24 and 25 to monitor nationwide elections for municipal, departmental and legislative seats. Our delegation was comprised of individuals with a long-standing commitment to the democratic ideal. Credentialed by the Haitian electoral commission (the CEP), we collectively observed voting at approximately 100 polling stations.

Everywhere we traveled on election day we saw Haitians of all political persuasions working together to move the process of transition from military rule forward. We congratulate the Haitian people for their continued dedication to the democratic process and their remarkable patience in the face of continuing poverty.

The June 25 elections are a watershed for Haiti. These elections take place in a human rights climate that is substantially more secure than in past election periods. The elections also signal the beginning of the re-establishment of true civilian government at every level. This is a remarkable accomplishment in a country that was stripped of its most basic civic institutions and democratic structures during the brutal coup regime. In evaluating what we saw on election day, we are mindful that Haiti started from scratch in undertaking its most complex elections ever.

During Haiti's parliamentary elections in 1987, over 100 people were killed in the run up to the election day and 34 people were killed on election day, some at polling stations. On June 25, 1995, we observed no noteworthy security problems

at polling stations we visited. Also, for the first time in recent history, civilian police rather than the Haitian military, were responsible for security.

We did observe a number of administrative problems, but concluded that none were motivated by political considerations. Administrative problems included a late start in opening the polling stations and confusion regarding operational procedures. In the experience of this group, such administrative problems are to be expected in a country such as Haiti with limited infrastructure and resources for an effort as complex as this. The CEP showed flexibility in responding to these challenges. Voting was extended, in some places for an additional day, to ensure that voters would have an opportunity to participate. By far the most serious administrative problem was the omission of candidate names from the ballot. This led to a number of incidents of disruption at polling stations. These omissions were brought to the attention of the CEP by international observers, who also discussed possible solutions. We are confident that the ways and means will be found to adequately address this deficiency.

At the polling stations we visited, Haitians displayed a high degree of confidence in the process. Party representatives were present at every polling station we visited and were playing a constructive role. Voters were patient despite long delays at some stations, and administrative confusion.

We did not observe the counting phase and can offer no opinion about the conduct of the vote count. Based on our past experience in other countries, this phase is the most difficult and is the phase where most questions and complaints are raised.

The United States Government, the international community, and the Government and people of Haiti deserve recognition and support for their efforts and accomplishment in a country which one year ago was in the midst of the most extreme social, political and economic crisis extant anywhere in the hemisphere.

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July 7, 1994, Thursday, Final Edition

SECTION: EDITORIAL; PAGE A19

LENGTH: 785 words

HEADLINE: Alternative To Invasion

SERIES: Occasional

BYLINE: Duly Brutus

DATELINE: PORT AU PRINCE

BODY:

It would be ironic -- as well as tragic -- if the United States, in the name of democracy, were to intervene militarily to achieve the return of President Jean-Bertrand Aristide to Haiti. It is hard to think of anything that would do more damage to democracy.

No reputable political leader or party in all of Haiti -- including Aristide -- welcomes the use of military force to achieve his return. Haiti is one of the poorest nations in the world. The only dignity left to us is our sovereignty and our independence. For the United States to strip that away would be taking away the last vestige of our self-respect.

Such a forcible intervention would only generate entrenched and rigid opposition from all political classes of Haiti -- including Aristide's supporters. And those supporters could be expected to be among the first to criticize the United States for conducting such an operation -- even if the return of Aristide is the reason.

Everyone in the international community knows that the military of Haiti is unwilling to abide by the will of the majority as expressed in democratic elections. But the military is only one part of the problem. The weakness of democratic political institutions and the absence of a democratic culture are other parts. While the U.S. military is most certainly able to drive the Haitian military from power, it is less certain that the U.S. military would be able to build the political institutions or culture necessary for democracy to succeed. That remains for Haitians. I believe a U.S. invasion would damage Haitians' ability to build those institutions in the future.

Aristide's return to Haiti depends on his skill as a politician and, above all, his capacity to become a truly national leader. If he were a great force for national unity and reconciliation -- as Nelson Mandela has been for South Africa -- he would have returned to Haiti long ago. Those who know South Africa know that Mandela compromised at every turn to achieve truly democratic elections.

The Washington Post, July 7, 1994

Today Aristide is also being tested on his willingness and ability to arrive at a compromise that will result in the departure of the high command. In the past, whenever his political skills have been most needed, he has stumbled and made it possible for the high command to find arguments to remain in power.

Aristide and his advisers have been unable to build precisely the kind of grand consensus that would make his return a political triumph for all of Haiti. His failure to achieve that victory threatens to produce a national disgrace: his return to Haiti on the shoulders of the U.S. Marine Corps.

In the past, the power of a grand national movement has worked to advance democracy in Haiti against difficult odds. In 1990 the political classes, in partnership with the economic elite and government employees, overthrew another ruthless dictator, Prosper Avril. Avril was much stronger than Gen. Raoul Cedras has ever been, but the national consensus against him was even more powerful.

With political skill and vision, Aristide could still build that consensus. Sadly, however, he is a force for disunity and division. He has played the role of conflict seeker rather than consensus builder. Every time Haitians have come together over the past two years to try to build a broad-based consensus for democracy, Aristide -- just as much as the high command -- has been a reluctant if not recalcitrant participant.

It is instructive to look at his three different appearances before the United Nations at times when, without his personal participation, there would have been international consensus on Haiti. In 1991 Aristide denounced President Joaquin Balaguer of the Dominican Republic as a racist and called on the United States to lift its economic embargo against Cuba. In 1992, after he had been removed from office by coup, Aristide denounced the pope as racist. Most recently, in 1993, he called for diplomatic recognition of Taiwan.

Political consensus in Haiti is difficult if not impossible without political consensus in the United States. Congress should create a bipartisan commission on Haiti to listen to all the actors and make recommendations to the president. Such an approach would contribute to the emergence of a dialogue and a real national consensus in Haiti. Nelson Mandela, with his legendary popularity added to his legitimacy as a democratic leader, achieved a consensus that has allowed formation of his new government. That search for consensus should guide American and Haitian political leaders as well.

The writer is a member of Haiti's Chamber of Deputies, to which he was elected in December 1990. He served as its president in 1991.

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December 16, 1994, Friday, Final Edition

SECTION: EDITORIAL; PAGE A25

LENGTH: 890 words

HEADLINE: Haiti: The Job Still to Be Done

SERIES: Occasional

BYLINE: Duly Brutus

DATELINE: PORT-AU-PRINCE

BODY:

It is wishful -- and dangerous -- to think that the crisis in Haiti has been resolved and democracy restored. In truth, the causes of the Haitian crisis have yet to be addressed, and the restoration of Haitian democracy has yet to be achieved. To complete these tasks, more is required than the presence of American troops and the absence of military dictators. What is required is the work of the Haitian people.

But a form of violence -- state violence -- has almost ended, and there is hope in the air. For that, the overwhelming majority of Haitians rightly appreciate the support given by the people of the United States to the democratic process in Haiti.

To U.S. policy makers in the administration let me say this about the U.S. troops in Haiti: From watching the American experience in other countries, Haitians know as well as most Americans that it is easier to send in troops than to bring them back, easier to get in than to get out. We also know that the American people have no appetite for occupation. You want nothing more than to bring your troops home now.

But the U.S. mission in Haiti -- Operation Restore Democracy -- is not yet over. Americans should avoid the mistake of thinking that the return of one man is equal to the restoration of democracy. To restore democracy in Haiti, the Haitian people must first establish truly democratic government. That cannot be done without strengthening democratic institutions, and that takes time and patience and hard work. Without time and patience and hard work, the process is doomed.

To bring the troops home too soon will undermine this process. To let them stay too long will destroy it. How and when the American troops leave Haiti will in large part determine whether the mission is successful in the end.

The most important challenge in Haiti today is to restore the authority of the Haitian state -- morally, legally, politically, economically. If the government of Haiti has no authority, it will be unable to govern. Without a

The Washington Post, December 16, 1994

government that can function on its own, nothing else can be done.

For the American troops to leave Haiti in an orderly fashion we must ensure that the following steps be taken in advance:

- * Free and fair parliamentary elections must be held.

- * A social plan must be in place -- some kind of safety net -- to deal with the serious tensions that exist between the very poor and the very rich. Ironically, the embargo made this longstanding situation much worse.

- * Emergency economic measures must be taken to put the people of Haiti back to work -- building roads, replacing the shanty towns with decent low-cost housing, reopening the schools and equipping the clinics.

- * Personal security must be ensured. Removing the forces of repression does not by itself ensure that the individual citizen will be protected. Democracy cannot flourish where there is fear among the people.

The decision to withdraw American troops from Haiti cannot be made in isolation. It must be part of a global plan. It will require great political skill and dexterity.

A gradual reduction in the troop levels makes sense. But replacing American troops with troops that are untrained and unfamiliar with the Haitian culture does not. Haitians have a great deal in common with Americans. The Haitian people see this every day as we watch your soldiers work -- with discipline, with sensitivity, with courage.

To those Republicans who have been most outspoken in their criticism of U.S. policy let me say this:

Your arguments against an invasion and your demands that the troops be brought home have been useful. You have produced balance in U.S. policy, and you have contributed to the success that has, so far, occurred. Perhaps you understand that it is dangerous, in a small country such as Haiti, to adopt easy, superficial or false solutions. The habits of the Haitian people cannot be changed overnight. Haitians, just as others, are complex people, and that must be taken into account.

Perhaps most important, you have understood that restoring democracy in Haiti includes building respect for and strengthening the Haitian parliament. You, in your national legislature, have been advocates and champions of our national legislature. We hope that you will send your members and your staff to meet with our members (we have no staff). Just as your executive has been a champion of ours, your role should be, among other things, to speak out for those of us who have been democratically elected to the parliament and whose moral, legal and constitutional claim to speak for our constituents is no less than that of our democratically elected president.

The Washington Post, December 16, 1994

In truth, democracy in Haiti is a new and fragile flower. But democracy anywhere -- even in the United States -- is never easy. To the American people, let me say this:

We very much appreciate what you have done for democracy in Haiti. Now you -- with the international community -- must give us the time that we need to advance the process of democracy. And you must also give us the tools and resources that are indispensable to the accomplishment of the task ahead. You will be surprised at what all of us can do when we work together. The writer is a member of Haiti's Chamber of Deputies, to which he was elected in December 1990. He served as its president in 1991.

GRAPHIC: ILLUSTRATION, JOHN OVERMYER

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Friday, April 14, 1995

The Americas: Democracy in Haiti? Not Yet
 By Duly Brutus

When the U.S. military came to Haiti last year, much of the Haitian population was grateful to the American people for ridding our nation of a military dictatorship and for restoring a measure of law and order to our daily lives. But "Operation Uphold Democracy" was an unfortunate name for the U.S. military mission in Haiti. There was little democracy in Haiti before the coup that toppled President Jean Bertrand Aristide in September 1991, and there has been even less after President Aristide's return in October 1995.

Achieving democratic government in Haiti requires much more than the return of one man. Without a strong and independent judiciary, without a functioning parliament that can give voice to the many disparate views and visions of a nation's future, and without institutions that guarantee fair and free elections, there can be no democratic government. The upcoming parliamentary elections in June will present an important test of how much progress we have really made in our quest for democracy. So far, the electoral process has been anything but democratic. Let me cite some examples:

-- Since the parliament was dissolved on Feb. 4, President Aristide has, with no apparent concern for appearances, issued order after order aimed at giving his followers an advantage in the elections. On Feb. 27, for example, he issued an order that fired the vast majority of the mayors in the nation. With the sole exception of Evans Paul, the mayor of Port-au-Prince, only those mayors who were members of his political movement were kept on. The president had no constitutional authority to do this. He gave no reason for firing them. In fact, they had all been elected in the same election in which he had been elected president.

When the question was raised on March 9 in a hearing before the Senate Foreign Relations Committee, Sen. Christopher Dodd reported -- quite

erroneously -- that these mayors had been "put in place by the coup leaders. They were basically thugs." The mayors who were fired, he added, "were criminals in many instances, members of the tonton macoutes. They were dreaded figures in many of these communities." Sen. Dodd's information was simply not accurate.

-- Both chambers of parliament debated and then adopted an electoral law that, in minor ways, modified legislation proposed by President Aristide. But President Aristide ignored the parliament and issued an executive order that reinstated his original proposal. The leaders of 10 political parties finally negotiated directly with President Aristide and reached an agreement with him as to how the members of the Electoral Council would be selected: i.e., the political parties would submit 27 names from which 9 would be selected -- three from parliament, three from the executive branch and three from the judiciary. But the terms of the agreement were never carried out. Without reference to any list, and with no effort to include equal representations from each of the branches of the government, political supporters of President Aristide were appointed to hold six of the nine positions on the Electoral Council.

-- The National Democratic Institute sponsored an initiative in which 17 political parties met and reached an agreement that would guarantee the presence of all the political parties in all of the departmental (regional) electoral bureaus. That agreement was rejected by the Electoral Council. Of the 27 staff positions available in the departmental electoral bureaus, 24 are now held by the president's political supporters.

Control of the supposedly neutral electoral apparatus has allowed President Aristide's political supporters -- the Organization Politique Lavalas (OPL) --to guarantee their own success at the polls in June. In my home town of Limbe in the north, for example, the entire electoral structure is campaigning openly against me and my party, Panpra. Just two weeks ago in the town of Beladere, the director of the communal electoral bureau was fired for not being sufficiently vocal in speaking out against the Panpra candidate for deputy, Edmonde Beaulieu.

4/14/95 WSJ A9

To rectify the disproportionate presence and influence of Lavalas in the Haitian electoral machinery, 16 leaders of non-Lavalas political parties met on April 6 with the Electoral Council of Haiti in the presence of President Aristide. The party leaders recommended that steps be taken to neutralize the electoral apparatus, that the staffing of the Departmental and Communal Electoral Bureaus be more representative of the various political parties. The president of the Electoral Council, Anselme Remy, told us -- in President Aristide's presence -- that reforms would be announced within 48 hours. But the announcement that followed made no mention of reforms. Instead, the Electoral Council announced that the date of the election would be changed from June 4 to June 25 -- this, without any discussion or consultation with the non-Aristide political leadership.

Even more dangerous, of course, is the wave of intimidation and the climate of insecurity and fear that has resulted from it. During the first week of March, for example, a former deputy, Eric LaMothe, was killed. On March 14, armed gunmen disrupted a meeting of Panpra followers and shot one of our leaders, Philippe Stevenson. Most recently, a former adviser to the military government and a mother of four children, Mireille Durocher Bertin, was assassinated in a hail of automatic weapons fire while driving through the streets of Port-au-Prince. The prime suspect is a member of President Aristide's cabinet.

Despite the flaws in the electoral process and the incidents of violence directed against critics of President Aristide and his followers, the U.S. Embassy says it is "satisfied" with the electoral process. This is troubling. No one should be satisfied with the "democratic process" in Haiti to date.

The people of Haiti are still poor, still hungry. The international community has made promises, and the peacekeepers are still here. But there is no real peace yet, and there can be no peace unless freedom of expression and association are protected from threats and acts of violence. And there can be no legitimate claim to democratic rule by the leaders of Haiti until all the citizens of Haiti have the freedom to participate in genuinely free and fair elections. That is one lesson that President Aristide preached to all of us. But when one is president of a nation, lip service is no longer enough.

--Mr. Brutus is deputy secretary of Panpra, an opposition political party, and was leader of Haiti's lower house of parliament.

(See related letter: "Letters to the Editor: Free of Fear, Haiti Restores Democracy" -- WSJ May 19, 1995)

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RECOMMENDATIONS

IRI has conducted 47 election observation missions in over 30 countries including the Philippines, Panama, Honduras, Nicaragua, Eastern and Central Europe, Haiti, Kenya, Russia, South Africa, Ukraine, Mexico, and El Salvador. These missions have created an internationally recognized reputation for impartiality and professionalism in the analysis of this fundamental democratic practice. The purpose of these missions and the Haiti mission has been to evaluate the electoral process, identify the strengths and weaknesses of the system, and make recommendations to improve the conduct of future elections.

The electoral process in Haiti requires significant changes. After undertaking an extensive evaluation of the pre-electoral environment and the electoral process, IRI makes the following recommendations to improve the administration, transparency and confidence in future elections in Haiti.

ISSUE 1: ELECTORAL LAW

Background:

The entire electoral system has been operating in an ad hoc manner without the foundation of a permanent electoral law. The 1987, 1990 and 1995 election processes were each presided over by a different provisional electoral law and council. Each electoral law has significant differences. In order to instill some framework for future elections, a permanent electoral law needs to be promulgated. It should be noted that the Chamber of Deputies and the Senate passed an electoral law for the June 1995 elections but President Aristide did not sign it into law, and instead issued a different electoral law by decree.

Given the extraordinary need for reconciliation in Haiti and the predominance of the Lavalas movement in the new Parliament, extra effort should be undertaken to bring in the other major opposition parties in the drafting of the law.

Recommendation:

1) A permanent electoral law needs to be drafted and passed by the Parliament. The drafting committee should review other examples of electoral laws and be open to input from the major political parties.

ISSUE 2: ELECTION ADMINISTRATION CAPABILITY

Background:

1) The CEP, created as a provisional institution, has no permanent infrastructure, no permanent staff, nor the benefit of any records or institutional history on which to build. The large sums of money, mainly from the United States government, and technical assistance from the United Nations, made this election possible. It is doubtful that any institutionalization of the process will be realized as a result of these outlays. It is necessary to put into place the permanent electoral council as stipulated in the 1987 Constitution. Once the 1995 presidential elections are concluded under the auspices of a provisional CEP, planning and execution of the steps necessary to establish a permanent CEP need to commence. The process to name a permanent CEP is lengthy and requires local elections all of which need to be completed well in advance of the 1996 legislative elections.

2) Because the last three election cycles have been presided over by different election councils, no permanent cadre of professional staff has been cultivated. Every election council begins the process over again without any institutional memory or support.

3) As noted in IRI's pre-election Haiti updates, the manner in which the CEP members were appointed highlighted a total disregard for political party interests, tainting the election process from the beginning. The CEP and its departmental representatives lost their credibility with the political parties during this election cycle as a result of inaccessibility, a lack of transparency and no accountability for their decisions. The political parties had no representation on the council and felt that their concerns were not considered during any decision-making. After witnessing the process used to appoint the CEP, 11 political parties proposed a resolution to the CEP on how the remaining appointments of electoral officials should proceed. On February 9, 1995, these 11 parties signed a resolution that proposed that 2/3 of the members of the Departmental Electoral Offices (BEDs), Communal Electoral Offices (BECs), and Voting Stations (BIVs) be chosen at a public meeting by the CEP from a list presented by the political parties. The remaining 1/3 could be independently chosen by the CEP. The parties never received an answer to their proposal from the CEP.

On March 2, 1995, the CEP announced its decisions regarding the composition of the BED officials. The preponderance of officials named, associated with the Lavalas movement (OPL), sparked many parties to protest these appointments. After visits to the BEDs and BECS in the North, Northeast, Central Plateau, Artibonite, West and Southeast, IRI assessment missions found that a majority of the local election officials had served in as election officials in either the 1987 or 1990 elections. This is a major issue for most of the parties. For the Presidential election at the end of this year, it is imperative that new officials be appointed and that the political parties be involved in the selection. The politicization of the election officials, while a challenge in any transitional democracy, could be lessened if the election officials at the local level are changed with input from opposition parties. While this will involve additional costs for training of new officials, this step would show a good faith effort on behalf of the CEP.

4) Prior to the June 25 elections, many of the BIV and BEC members had received little or no training, which further compounded election day confusion. To their credit, a majority of the BIV workers did their best but would have benefitted from training. Training provided by IFES and the CEP for officials for the August 13 rerun and September 17 runoff elections showed improvement in administration capability at the BIV level.

5) In addition, the CEP changed the salaries of the BIV workers and then experienced serious delays in delivering the salaries. Some BIV workers refused to work on election day because they had not been paid in so long.

6) The lack of infrastructure and materiel for this process was chronic. Communication from the BEDs to the CEP was irregular during the pre-election process and severely constrained on election day; between the BEDs and the BECs, it was somewhat better as there are shortwave radios; no structure existed between the BIVs and the BECs, which compounded the mass confusion on election day. The CEP owns 44 vehicles; however, most of the transportation requirements for delivering voter registration material and ballots, and forwarding such material were met by the United Nations Military in Haiti (UNMIH). Without the logistical support of the UNMIH, many pre-electoral needs and election day itself would have been nearly impossible. Voter registration material distribution, ballot distribution, ballot collection and many other transport needs were met by the UNMIH.

Recommendations:

1) Create a representative permanent electoral council appointed in accordance with the process outlined in the 1987 Haitian Constitution.

2) Recruit capable full-time staff for electoral council with a view towards creating a cadre of professional staff with acquired expertise.

3) Replace all BED, BEC and BIV officials according to the procedures outlined in the 1987 Haitian Constitution.

4) Formulate training programs for all CEP, BED, BEC and BIV officials that is extensive and covers all aspects of the election law, voting procedures, counting procedures and dispute resolution. Training for officials should occur well in advance of election day. Temporary workers hired for election day should be paid for attending training sessions. Training materials should be standardized, easily comprehensible and readily available.

5) Salaries for these officials should be determined and delivered in a timely manner.

6) Materiel that is bought for the election cycle needs to be safeguarded for use in future elections. Plans need to be undertaken on how to acquire the supplies necessary to begin to fill the vacuum the UN will leave.

ISSUE 3: CANDIDATE QUALIFICATION AND REGISTRATION

Background:

The candidate review process was by far the most protracted and opaque part of the electoral process. According to the electoral calendar set by the CEP, the candidate dossier review process was to be completed with the publication of the final approved candidate list on May 13. The first announcement by the CEP of any approved candidates came over the radio on May 18, when the CEP gave its list of approved candidates to several radio stations but not to the political parties. This required the political parties literally to listen to the radio around the clock to hear who of their candidates had been approved. The CEP did not release reasons for rejecting candidates. According to the electoral law, a political party has the right to appeal the decision of the CEP within 72 hours. Because the political parties were not given the reasons for the rejected candidates, they were unable to exercise their right to provide evidence contrary to the CEP judgements. On May 18 and 19, all political parties registered complaints regarding the lack of explanations for these rejections in writing to the CEP. To IRI's knowledge, none of the political parties have ever received a written response to their letters from the CEP. On May 21, 22, and 23 additional lists of approved candidates were released and also three separate partial lists of rejected candidates with explanations. Again, the parties did not receive these lists until many days after their release. As with the approved candidates, these lists were read over the radio. The CEP did supply reasons for the final rejected candidate list. The candidates and political parties protested and provided evidence contrary to the reasons supplied by the CEP, but many were never reinstated. Angry supporters for candidates who were inexplicably rejected from the process and those that were inadvertently left off the ballot mounted protests on election day.

The candidate registration fees for national office of Senate and Deputy are based the number of municipal candidates on their same party slate running for office in their districts. The more candidates on local slates a party has, the less it pays. However, because the political parties in Haiti have minimal resources, candidates themselves must bear the cost of their registration. This sliding scale does prohibit the proliferation of minuscule parties, candidates from recognized parties in areas where it has little support pay a large penalty.

The CEP announced on May 31, at 11 p.m. on the radio its decision to require all candidates to pay any fees owed within 72 hours -- or by June 3. Because of the number of candidates that had been rejected by the CEP, many parties were expected to pay large sums of money (some up to US\$75,000). As the political parties had never received a list of approved local candidates, it was virtually impossible for them to calculate the correct amount of additional fees owed. Following protests by all political parties, the CEP extended this deadline to June 8. However, many parties maintained that it would be impossible to pay additional fees. Indeed, political party representatives told the CEP President on June 3 that as many as 75 percent of the parties would be forced to withdraw if this provision is enforced. The CEP promised to seek a meeting with the Prime Minister to determine if the Government could assist in the payment or offer a legal way around this requirement.

Recommendations:

1) Candidate qualification criteria should be simplified and registration procedures should be streamlined. Qualification criteria should be limited to party certification and by petition for independent candidates.

2) Lists of approved candidates should be posted on the day set by the CEP. Reasons for rejections should be released simultaneously to allow equal access to the appeal process.

3) Registration fees should be reduced and the sliding scale fee schedule should be reviewed.

ISSUE 4: VOTER REGISTRATION**Background:**

According to the CEP estimate, there are 3,759,913 eligible voters in Haiti. There is no way to know how realistic this estimate is because the last census in Haiti was in 1982. In 1987, the Haitian Bureau of Statistics and Information estimated that there were 2,974,293 persons 18 years or older. The figure for the 1995 elections was based on estimated population growth and some figures preserved from the 1987 and 1990 elections.

The voter registration list that was compiled for the 1990 election disappeared without explanation. Therefore, voter registration in this election had to begin from scratch. All Haitians had to re-register to be eligible to vote for this election and also for the Presidential election scheduled for 1995. The voter registration for these elections was not computerized; instead, it is a manually recorded registration list. The recorded numbers of registered voters at the BED level do not match the numbers published by the CEP.

IRI observers witnessed the destruction of voter registration lists and voter cards on election day in the West, Artibonite, North, Northeast, and Northwest departments. How this will impact voting for the presidential elections and how the situation will be remedied is unclear. At the very least, these lists will have to be reconstructed.

The lack of a master voter list and the existing significant numerical inconsistencies are significant weaknesses in this election process that need to be addressed prior to the Presidential election later this year.

Recommendations:

1) Voter registration should be carried out year round.

2) Voter registration card should be valid for all subsequent elections.

3) A permanent voter registry should be created with thorough audits conducted prior to elections.

4) The system should be converted to a computerized system from a manual system when the infrastructure in Haiti can support its maintenance.

5) The government of Haiti should conduct a new census.

ISSUE 5: ACCESS TO MEDIA FOR CAMPAIGN

Background:

A majority of the political parties in Haiti, because of a lack of financial resources, were unable to afford media time. Given the high rate of poverty and illiteracy, television and newspapers do not have a wide audience. Radio is the best medium for political campaigning. Late in the campaign period, the CEP announced that all political parties would have equal access to state media. In reality, however, many of the political parties were still unable to broadcast their announcements due to fiscal constraints and uncooperative media.

Recommendations:

1) All political parties should have equal access to state media.

2) The independent media should make affordable airtime available to all parties. If the media are unable to afford this effort, consideration should be given by the government of Haiti to provide limited financial support for this purpose in an equal manner to such media.

ISSUE 6: CAMPAIGN FINANCING

Background:

Again, financial resources available to a majority of the political parties are scarce. A great discrepancy in the funds available to the Lavalas party was evident in its ability to mount a much larger public campaign. Whether warranted or not, this led to a great deal of public speculation as to the source of these funds.

Recommendations:

1) Create a reporting mechanism for all funds received and spent by political parties and individual candidates. This information should be made available to the public. Criminal penalties should be imposed for failure to comply.

2) Strict penalties should be created and enforced against the misuse of state resources for a political campaign.

ISSUE 7: LOCATION OF VOTING PLACES

Background:

One of the problems that was evident in this process was the changing of BIV locations. Many people went to vote on election day at the site where they had registered only to find the location of their BIV was different or had been changed. Not only did this add to the confusion but some voters (no one will ever know how many) were unable to find their new voting sites.

Recommendations:

- 1) Voting places should, whenever possible, be the same as registration locations.*
- 2) Lists of all voting sites should be posted at the BECs 2-3 weeks prior to the election.*
- 3) Lists of voters assigned to each voting site should be posted at the voting site the required three days in advance of the election.*

ISSUE 8: SAFEGUARDING ELECTION MATERIALS

Background:

The most dramatic breakdown in the electoral machine occurred after the election when the ballots and tally sheets arrived at the BECs. In every department in Haiti, IRI observers reported that bags and boxes of marked and unmarked ballots were unsealed, abandoned, not logged in and separated from the tally sheets. There was absolutely no way to rematch tally sheets with the ballot boxes thereby eliminating the option of a recount. In the legal community, this is known as breaking the chain of evidence. This made every subsequent step of the process unverifiable. This part of the process only marginally improved during the rerun and runoff elections. IRI is still waiting for the CEP to produce copies of the tally sheets used to compile the results to check against the numbers reported on the individual BIV tally sheets.

Recommendations:

- 1) A more systematic way by which elections results and materials are transported, supervised and logged in at the BEC and BED levels needs to be devised. These steps should be included in all training programs for election officials and party pollwatchers.*

2) Ensure that ballot boxes, ballots and tally sheets can be easily matched. This can be done through the use of pre-printed numbers for all materials.

3) Ballots should be securely maintained, in an orderly fashion, at the BEC offices for at least 30 days after the election to permit challenges and recounts if necessary.

ISSUE 9: POLLWATCHERS

Background:

According to the electoral law, political parties and/or candidates have the right to have a representative at each BIV. The role of pollwatchers is critical in any election, particularly a transition election. The CEP stalled the process for registering the pollwatchers and further complicated the process by requiring photos for each identification card. With over 10,000 BIVs to monitor, no party had the infrastructure or funds to mobilize that number of pollwatchers. The Center for Free Enterprise and Democracy (CLED), a private-sector organization, filled a critical void by providing funding to the five largest parties to enable them to send out pollwatchers.

Except for a national pollwatcher training of trainers program by the National Democratic Institute, training for pollwatchers was basically non-existent. This curtailed the opportunity for Haitians to play a constructive monitoring role and also added a lot of confusion to the process. The pollwatchers did not know the electoral process (neither did the electoral workers because many did not receive the last minute CEP training) nor what their role throughout the day should be. Many pollwatchers actively watched the voters voting, compromising the secrecy of the vote. Other pollwatchers sought out illiterate voters to "help" them vote. The electoral workers themselves did not know the role of the pollwatchers either, which angered some pollwatchers who were denied access to parts of the process.

The formation of the Unit for Surveillance and Control of the Elections (USCE), a political party monitoring unit at the BEC and BED level, was agreed to by the parties and the CEP. On June 15 the parties met and conducted a lottery to designate the USCE members for each BEC and BED. The unit did not become operational for the June 25 elections because the CEP never provided training, and funds never became available to deploy the members. However the unit was reactivated for the rerun and runoff elections, with members only from those parties that were participating in the elections.

The unit could have instilled greater confidence in the electoral process as another external validation measure. The CEP again showed its disregard for the parties' interests by letting this initiative go by the wayside days before the election.

Recommendations:

1) Political party and independent candidate pollwatchers should receive training in the electoral process and their specific roles at the BIV and during the counting process at all levels. Specific attention should be paid as to specifically defining the role of the pollwatchers in assisting illiterate voters.

2) In the electoral workers training seminars, the role, responsibilities, and rights of pollwatchers need to be defined.

3) The political party surveillance unit should be adequately financed and be representatively staffed. The unit should be operational well in advance of election day.

ISSUE 10: TRANSPARENCY OF THE COUNTING PROCESS**Background:**

Because many steps of this elections process were shrouded by a cloak of secrecy, additional steps to build confidence in the process are necessary.

Due to the extended candidate review process the ballot production timetable was severely delayed. Samples of the ballots were never shared with the public, elections workers or the parties in advance of the election. In fact some candidates only found out on election day that they were not on the ballot. Because of the complexity of the ballot, it would be extremely useful for the electoral workers and the voting public to view and understand the ballot in advance of election day. This also would exhibit a sense of transparency to the parties who could confirm their candidates and logos were listed correctly on the ballot.

The system of making results available needs to be standardized and provided equally to the public and political parties. Because of the laborious process of making numerous handwritten copies of the tally sheets at the BIVs (sometimes without light), sometimes an insufficient number of copies were produced. Also many times no copy was posted at the BIV for public viewing.

In the calculation of the results of this election, there was a wide misunderstanding of the CEP's methodology for computing the winners of Senate seats. Because each voter had the opportunity to vote for two Senators (although not all did), the CEP had to average the number of voters and divide by two to arrive at the number of votes for each candidate. This was never explained by the CEP and was disputed by candidates and parties alike.

Recommendations:

- 1) Sample ballots need to be available in advance of the election for parties, candidates and the electorate to ensure correctness and enhance understanding.*
- 2) Results of each BIV need to be available to the public, the political parties and the candidates.*
- 3) The methodology used by the CEP to calculate the winners of Senate races needs to be clarified.*

ISSUE 11: APPEAL PROCESS**Background:**

As repeatedly highlighted by IRI before the election, the lack of an appeal mechanism destroyed the confidence of the political parties in the system. The total lack of transparency and unresponsiveness to party inquiries and protests by the CEP, the total disinterest in addressing the chaotic mismanagement of the elections by the CEP and the unwillingness of the CEP to examine and respond to evidence regarding the problems on election day ultimately caused the political parties to boycott the re-run and runoff elections.

In drafting a new electoral law, specific consideration needs to be given how these mechanisms should be constructed. Different processes may be appropriate for candidates versus disenfranchised voters.

Recommendation:

- 1) A clearly defined process needs to be establish whereby candidates, parties or individual voters register their complaints and receive explanation or redress. This structure needs to be outlined in the electoral law. The appropriate organ must respond to complaints within a set reasonable timeframe and in writing.*

ISSUE 12: SECURITY**Background:**

Security was a major concern by all involved in the election process. The UNMIH and International Civilian Police (CIV/POL) forces provided significant security --largely accounting for the relative lack of violence during the last year-- which will not be present for elections beyond this year. The new Haitian police force will have to fill this vacuum for future elections.

To their credit a great deal of enthusiasm was exhibited by the Haitian people on election day. In very few places, however, was there an individual whose responsibility was to monitor the flow of people into the BIV. Not only does this create confusion inside the BIV but also sacrifices the secrecy of the vote. Many people stood in long lines only to find out that they had waited at the wrong BIV. Officials were unable to tell them their correct location to vote, which caused a great deal of frustration. IRI observers in all nine departments reported instances where BIV officials closed down (some temporarily, some not) due to unruly crowds.

Recommendations:

1) A designated official must be present at all BIVs on election day to regulate voter traffic and check voter cards.

2) The new Haitian police force needs to receive specific training on their role on election day. Consideration should be given in the course design on how the police force may play a facilitative role (i.e. directing citizens to vote locations) as well as offer appropriate security.

ISSUE 13: CIVIC EDUCATION

Background:

Civic education plays an integral role in any election. Civic education was nearly non-existent in these elections. The UN/US military, to their credit, did initiate some civic education activities to fill a large information vacuum. The CEP created a division to direct civic education efforts and appointed as its director a leader within the Lavalas (OPL) movement who was a candidate for the Senate in the Southeast department. This unit did not initiate any activities for the June 25 elections. Ultimately, the CEP mounted some effort for the runoffs on September 17, which a majority of the parties boycotted.

The balloting for this election was particularly complicated because it entailed four separate ballots. The actual voting was slowed down severely by persons who did not know how to mark their ballots nor what constituted a valid vote. Many Haitians did not know what offices this election was for or whom they were electing. It is the CEP's responsibility to make clear to the population their right to vote and the specifics of the election. This normally has a direct impact on increasing the level of participation. Given the turnout in light of the high voter registration, the impact of the lack of civic education can almost be quantified. Despite a confused and cynical electorate for the complementary and runoff elections, the CEP still did not mount a civic education campaign and the turnout further decreased.

In addition, political debate in Haiti could be very instrumental in the reconciliation process. While political parties may not be able to fund issue debates, community or non-governmental organizations would be well-suited to organize such forums.

Recommendations:

1) A serious civic education campaign needs to be undertaken by the CEP that explains the purpose of the election, what offices are being elected, how and when to register and how to vote. Included in this campaign should be voters' rights and what constitutes valid and invalid votes.

2) Non-governmental efforts should be encouraged that support open political debates and forums.

*Translation - French***BRIEF ACCOUNT OF THE ELECTION PROCESS IN PORT-AU-PRINCE****MICHA GAILLARD
CANDIDATE FROM KONAKOM**

I think that the elections which took place on June 25, 1995 in Port-au-Prince were marked by irregularities and multiple fraud.

- During voter registration, an individual could show up at a Registration & Voting Office (BIV) with a list of names and ask the official in charge to give him a corresponding number of voter cards. This could amount to a hundred (100) and even more.

- One day, during the campaign when I was going to meet some voters, someone in the street offered to sell me 20,000 voter cards to use "as I pleased", in his words! Genuine or not, I sent him on his way!

- On election day, several messengers came to offer me the whole registration (400 votes) in exchange for 100, 200 . . . 500 dollars. Sometimes these messengers told me that if I just bought a meal for the BIV registration officials left behind by the Permanent Electoral Council (CEP), they would give me the whole registration.

- Not to forget that CEP chairman, Anselme Rémy, had already announced that 1 million voting cards had disappeared! So further information about these cards has since been divulged by the CEP.

- The BIVs were not very well located. Voters were unable to find the BIV where they were supposed to vote. The voting office could be located very far from where they had gotten their voting card.

- The CEP had prohibited automobile traffic. This made voting difficult for those who lived outside the capital and who had gotten their cards in Port-au-Prince to fulfill their duty as citizens. It was just as difficult for the ones who had to look for the voting office corresponding to the number on their voting card.

- The candidates were also prohibited from driving around in cars. KONAKOM [National Congress of Democratic Movements], like the other parties, was allowed only three passes to stick on their autos. Three. . . for the entire country!

- There were lots of BIVs "reserved" for Lavalas. No one whatsoever was allowed to go there and vote, including those who had gotten the number for their voting card corresponding to the number of the BIV.

- When the BIV had the same number as his card, the voter frequently discovered that he "had already voted." Someone else had voted in his place and he was not allowed to vote a second time. If the voter protested, he was getting himself thrown resolutely out the door.

- There were BIVs that were never found by voters who had their numbers. But the CEP gave returns for the very same BIVs, where no one had ever voted!

- BIVs were domiciled in private houses and often the owner of the house told the people who to vote for.

- There were BIVs where many people voted without having cards.

- In the majority of BIVs the Lavalas people were running the show. Working with the BIV officials. They told you to "vote for La Table." If you didn't vote for "La Table," you were voting for against President Aristide and therefore you wanted to bring back those who were involved in the putsch.

- The KONAKOM people had a hard time getting into the BIVs. They were prevented by others. Some of my people were even thrown into prison for asserting their rights.

- When a voter came to cast his vote, he was taken in charge by either Lavalas agents or the BIV officials, normally the office head, in order to direct his vote. They would tell, and often force, the people to vote for Senators Wesner Emmanuel, Jean-Robert Sabalat, and Mayor Emmanuel Charlemagne. They were like peaceful commandos, well trained for the operation, and they carried out their work well. Before, it was the army that did this job, by making use of its structure. On June 25 it was the Lavalas network that took over, although somewhat more crudely.

- After the voting, the ballot boxes were frequently left at the domicile of some BIV official, who might not necessarily have had enough civic feeling to refrain from changing their contents.

- Hundreds of ballot boxes were simply left in the street in front of the Community Election Office by BIV officials, where they spent the night. Unauthorized persons opened the boxes and changed their contents of the votes.

- Some have been seen completely changing the ballot boxes by putting or adding in new voting slips with crosses next to senators, deputies, and the mayor who were Lavalas candidates.

- When a problem in a BIV necessitated the presences of a Justice of the Peace to make a report, it was hard to find one because there weren't enough. They were in demand just about everywhere in the capital.

- There were no authorized agents to take care of writing up reports.

These were the main points characteristics of the June 25 elections.

September 17, 1995

(signature)

An Embarrassing Post-Mortem on Haiti

By Mark Falcoff

Nothing succeeds like success, nothing fails like failure. The old adage seems particularly appropriate for Haiti, which for the past two years has been the centerpiece of the Clinton administration's Latin American policy and its principal exhibit to prove the success of its commitment to democracy in the region.

To be sure, Haiti is a particularly unpromising test case by which to judge an entire policy. But President Clinton made that choice, not his critics. Even before taking office, Clinton made much of his greater devotion to the cause of restoring democracy to Haiti than that of President George Bush—a democracy that Clinton represented as virtually coextensive with the restoration of President Jean-Bertrand Aristide, deposed some months before.

Once elected, however, President Clinton quickly discovered two harsh realities. First, Aristide, living in exile in Washington, was by no means disposed to cooperate with U.S. purposes, even when they seemed to coincide with his own. Vain, rigid, dogmatic, and uncompromising, he made life as unpleasant for the Clinton people as he had for their predecessors. The other reality, of more immediate moment, was the resistance of the Haitian military, which saw no reason to abandon power, much less surrender it to Aristide, without a fight.

The turn of events was mortifying for a president and an administration that had promised much but, by temperament, had little taste for military solutions, even as a last resort. Yet once the economic embargo

demonstrated that it would not dislodge the Haitian usurpers (and, what was worse, would generate endless waves of boat people heading for the United States), President Clinton had no choice but to order the U.S. military to prepare for an invasion.

Fortunately for both Haiti and the United States, that eventuality was forestalled at the last minute by mediation led by former president Jimmy Carter, Senator Sam Nunn, and General Colin Powell; they persuaded the Haitian generals to stand down and allow the U.S. military to occupy their country. For a brief, shining moment, the Clinton administration's dogged determination appeared to have paid off: Aristide had been peacefully returned to the presidential palace in Port-au-Prince to the acclaim of the multitudes.

True, this return was not accomplished without cost—thousands of hours of policy deliberations, no small amount of U.S. prestige, and many millions of U.S. taxpayers' dollars (on and off budget). Nonetheless, it was impossible to argue with success, and Clinton's resolve—at least for the moment—compared favorably with Bush's restraint.

As skeptics repeatedly pointed out throughout the crisis months, however, returning Aristide to Haiti was never as daunting a challenge as ensuring that what followed was consonant with our own national goals and values. Put another way, in the view of the Bush administration (and many others as well), the return of Aristide to power was not necessarily synonymous with "restoring democracy to

Haiti. The latest round of elections on June 25 underscores this point with dramatic emphasis.

The June 1995 Elections

For those who have not been paying much attention to Haiti since the introduction of U.S. troops there, here are some salient background details. Under the 1987 constitution, the term of the Parliament elected in December 1990 (the same election in which Aristide was chosen for the presidency) expired February 7, 1995. Because of intervening events—Aristide's overthrow, the economic embargo, the U.S. invasion, and delay in reestablishing order—that exercise was postponed to June 25. At issue was not merely the totality of the lower house (the Chamber of Deputies) but two-thirds of the Senate, as well as 1,695 local officials and 399 mayors.

The June 25 balloting was no ordinary parliamentary by-election. Its outcome was expected to determine much about the political life of Haiti for years to come. A bit of recent Haitian political history explains why. The coalition that brought Aristide to power in 1990 was called the National Front for Democratic Convergence (FNCD). Its slogan was *Lavalas*, the creole word for landslide. Since Aristide's overthrow, the front has splintered. Evans Paul, the popular mayor of Port-au-Prince (and the State Department's obvious choice to succeed Aristide later this year), continues to lead the front. But his rivals have created their own political force, first called the *Lavalas* Popular Organization, subsequently known as the *Lavalas* Bloc.

In one way the bloc represents all the anti-Paul forces in the former camp of Aristide. In another way the bloc is Aristide's own faction within the movement to promote his perpetuation in power. Specifically, the non-*Lavalas* groups in Haiti, including the front itself, have long feared that if the *Lavalas* Bloc won two-thirds of Parliament, it would change the constitution, thus enabling Aristide to run for reelection.

True, Aristide has publicly committed himself to stepping down at the end of his term. Nonetheless, it remains to be seen whether he will, in fact, break with Haiti's long-standing tradition of personalism, continuism, and the tendency for all

chief executives to attempt to remain president for life. With the apparent victory of the *Lavalas* forces on June 25, Aristide is now poised to make that move unless he can be brought to see the point of view of the United States and, even more important, that of more than twenty other political forces in his country, including one that he founded.

How Others See It

It goes without saying that the conduct of these elections was of great importance for the Clinton administration since everyone knew that returning Aristide by U.S. army aircraft was the easy part. The big question was where Haiti would go from here. Therefore only a successful round of parliamentary elections would justify the enormous time and expense (by now running into the billions of dollars) already expended on Haiti. Put rather baldly, the administration had no choice but to put a happy face on the results, even though they were little short of disastrous.

This is exactly what happened. On June 26 the U.S. presidential delegation issued a press release lauding the exercise as "a step in the building of democracy in Haiti." The rest of the document consists of a cascade of qualifications that, taken as a whole, cancel its positive opening note. The communiqué admitted the existence of "irregularities," "administrative flaws," and "mistakes" but took refuge in the ruse that "a definitive evaluation is premature." The strongest card of the bulletin was the allegation of "little evidence of any effort to favor a single political party or of an organized attempt to intentionally subvert the electoral machinery." Further, "despite the problems associated with the pre-election period and observed on election day," it concluded, "the Haitian people voted freely and seemingly without fear. Haiti is now one step closer to establishing a functioning parliament and viable local government."

Alas, other observers were far less sanguine. In particular, the International Republican Institute (IRI)—one of the two party institutes created by the National Endowment for Democracy—which had dispersed its own delegation throughout the provinces, came up with a different picture. As Bruce McCollm, then president of

the institute, declared, his delegation sent in graphic reports "about the closing down of [polling places], the intimidation of politicians, and the burning down of the [regional electoral bureaus].... Today in Port-au-Prince, our delegates observed the use of xeroxed ballots, and early this morning we witnessed tally sheets being intentionally altered, and ballots being substituted with newly marked ballots."

McColm admitted that there was no widespread violence, thanks to the presence of 6,000 UN troops (mostly American soldiers) and 900 international police agents—neither of which will be present in Haiti after the end of this year. Nonetheless, in eight cities, including Port-au-Prince, polling places had to be shut down before closing time, or voters went home without an opportunity to cast their vote. Many essential materials (including ballots) were not delivered or distributed in time to be used. Electoral workers received little or no training. The secrecy of the ballot was widely disregarded (ballot seals were rarely used). Nor were the ballots themselves protected as they moved from polling places to regional electoral authorities. And so forth.

The most devastating blow to the Clinton administration's happy picture of Haitians moving toward democracy, however, came from an unexpected quarter—none other than the report of Professor Robert Pastor of Emory University.¹ Though not widely known to the general public, Pastor is perhaps the most important figure in Latin Americanist circles in the Democratic Party. He was the chief Latin American policy maker on President Carter's National Security Council; since 1984, he has directed the Latin American program at the Carter Center. Pastor travels frequently with the former president, has participated in numerous election-monitoring exercises, and, in fact, was active in Carter's mediation effort in Haiti last year.

A loyal and activist Democrat, Pastor had every reason to sign off on the U.S. presidential delegation's report. Instead, he wrote that "of the thirteen elections that I have observed, the June 25th Haitian elections were the most disastrous technically and the counting process was the worst.... I personally witnessed more instances of fraud than I had ever seen in an election."

The Mechanics of Fraud

At the heart of the matter is the conduct of the Provisional Electoral Council (CEP), the body created by the Aristide administration to oversee and administer the elections. In the view of non-Lavalas parties, the CEP essentially recruited Lavalas supporters to produce a Lavalas victory. Pastor is less sure of this ("there is some evidence of bias, but not enough to justify a wholesale dismissal of the CEP"), but his own report is not particularly reassuring.

For one thing, there was the matter of selecting some 50,000 election officials. The CEP originally packed the slate with all pro-Lavalas people; only after a massive protest of the other parties did it agree to alter the list, though not to the satisfaction of the opposition. The registration process began March 26 but had to be extended twice and finally closed June 3. At that point some 90 percent of the eligible voters were registered. On May 17, however, Dr. Anselme Rémy, the president of the CEP, announced that about 1 million registration cards had been stolen. After the Organization of American States issued an unusually (for it) stern rebuke, Rémy was forced to revise his estimate downward.

As in many Latin American countries, in Haiti multiple voting is supposed to be prevented by dipping each person's thumb in indelible ink as the voter leaves the polling place. Some weeks before the elections, however, a CEP report, leaked to the press, said that the ink to be used could readily be washed off. The OAS went to the trouble of bringing the ink manufacturers to Haiti to perform a public demonstration, but—in an episode evocative of Evelyn Waugh's *Black Mischief*—"the demonstration only involved people dipping their thumbs in ink, not trying to wash it off"—and the information was not widely disseminated to the public.

The CEP likewise played a destabilizing role in the candidate selection process. The council reviewed nearly 12,000 candidates and disqualified hundreds by May 17. The number itself was not statistically significant—as McColm himself pointed out—but the CEP did not explain the logic of its decisions or even inform candidates whether they were qualified. "Because candidates



were not sure they were approved," Pastor wrote, "and parties had trouble paying the fees, the uncertainty surrounding the electoral process heightened."

The campaign itself could not begin until the official candidate list was available and the parties could see the list. A few days before the election, the CEP claimed to have the list, but since it consisted of more than 10,000 names and was 700 pages long, it could not easily be distributed. While the CEP published a sample ballot in some newspapers a few days before the election, most people did not discover who was on it until they arrived at the polling places.

Perhaps the most important finding in Pastor's report has to do with the use of campaign finances. When he met with Rémy in February, Pastor asked him about the claim of most opposition parties that Lavalas was receiving covert funding from the Haitian state. Rémy denied this and promised an audit. But when the two men met again June 24 and Pastor asked about the audit, Rémy admitted that none had taken place. Meanwhile, as McColm pointed out, many polling places were not functioning because the election workers had not been paid—despite the \$16.9 million in international funds (\$12 million from the United States) disbursed for this purpose. If this money was not being used to pay election workers, where was it going?

To add to the confusion, the CEP initially established some 3,000 voting sites. Later, for no apparent reason, the number was increased to more than 10,000. As a result, "a large number of people did not know where they should vote"—and, for his part, Pastor saw no place where voting sites were posted.

The best that can be said about the whole affair—certainly the best Pastor can find to say—is that "the irregularities...did not appear to be part of a centralized or coordinated effort." (As noted, this was the basis on which the U. S. presidential delegation ultimately rested its case.) The operative word in Pastor's statement should be *coordinated* since there is no reason to think that the Aristide administration has much improved on Haiti's long tradition of government incompetence. Indeed, one would have to be a political innocent of world-class proportions not to see

that if the CEP failed to produce a 100 percent result for Lavalas, it was not from lack of trying.

Election Standards and Haiti's Future

In judging elections, particularly early democratic elections, in countries with long authoritarian traditions, one cannot expect the punity of Norway or Holland or even, for that matter, of Venezuela, Chile, or Costa Rica. The only standard against which Haiti's recent performance can be judged is that of its own sorry precedents. The Clinton delegation not unnaturally hewed strongly to this line of analysis ("a step in the building of democracy in Haiti") and was not completely wrong. Pastor put the matter rather differently: "Compared to 200 years of repression and dictatorship, the election represents a step out of Haiti's past." But—he tellingly added—"whether it is a step forwards or sideways remains to be seen."

One test of an election is whether it advances the credibility of the democratic system and reconciles those who have lost to participating in another round at some future date. It is not clear that these elections have satisfied that condition. Virtually all opposition parties regard the results as illegitimate. This situation has not been relieved by a series of complementary elections (mainly in districts where violence or administrative inefficiencies prevented balloting on June 25) held August 13. The administrative style of the CEP—if that is the proper term—led to a widespread boycott by most opposition parties, including three that had supported Aristide in 1990.

The CEP claimed that 50 percent of the population participated in these complementary elections, but Paul described the turnout as "paltry" (3 to 5 percent). Without a thorough reform of electoral procedures, he added, there will likely be widespread abstention in the general runoff elections, now scheduled for mid-September. Meanwhile, new presidential elections are coming up at the end of this year, with Aristide's successor (or Aristide himself if he can get the constitution changed) to take office in February 1996.

If there is no significant improvement in the way Haitians choose their parliamentary representatives—and quickly—the Clinton administration may soon watch Aristide perpetuate himself

in power. The principal leverage to move things in the proper direction is the presence of 9,000 UN troops (most of them from the United States), who are maintaining order in the absence of the Haitian army (since demobilized). The UN troops are scheduled to leave after the inauguration of the next president.

But if Aristide is not cooperative, can the troops depart? And if they do not, will they find themselves propping up a new dictatorship? If they leave, what kinds of reassurance can be offered that Haiti is capable of sailing on alone toward a peaceful democratic future? From Clinton's point of view, the worst prospect of all is that Haiti will explode again in the middle of his own efforts to achieve reelection.

To repeat, Haiti's performance as a political system must be judged against the background of its own history. Had the Clinton administration been more respectful of that history in the first place, it would not have mortgaged the success of its policies to the performance of Aristide. Now

Clinton can only trust that the Haitian president will live up to his promise to pursue national reconciliation and to step down after his current term.

To be sure, the U.S. economic and military presence in Haiti will serve as an important incentive to get Aristide to do just that. One can only hope that the Clinton administration, having learned from experience, will know how to leverage those advantages rather than dig itself deeper into the morass of Haitian politics.

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Note

1. *Mission to Haiti #3: Elections for Parliament and Municipalities, June 23-26, 1995* (Atlanta: Council of Freely Elected Heads of Government/Carter Center, 1995).

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